

12<sup>th</sup> Day  
Tuesday, November 19, 2019  
9:00 a.m.

The regular meeting of the Board of Supervisors was held in their chambers in the Court House, Chairman LeRoy presiding.

The Pledge of Allegiance was led by Supervisor Spickerman, followed by Chairman LeRoy giving the invocation.

Upon roll call, all Supervisors were present.

County Administrator Richard House and County Attorney Daniel Connors were also present for this morning's board session.

**APPROVAL OF MINUTES:**

Mrs. Jacobs moved, seconded by Mr. Chatfield, to waive the reading of the minutes of the previous meeting and approve them as distributed. Upon roll call, carried.

**COMMUNICATIONS:**

The Chairman requested a motion to waive the reading of the following communications received and to approve them as listed below: Copies of the Sheriff's Office Cash Receipts Reports dated 10/18/19 totaling \$17,297.20 was received.

A copy of the October 24, 2019 Professional Advisory Committee Meeting Minutes were received and filed as per State requirements, after being accepted by the Wayne County Health and Medical Services Committee.

An invitation was received from the Governor to attend a full day REDI Conference in Albany on November 20, to address projects to rebuild and enhance the Lake Ontario Shoreline, including homeowner and business assistance for a total of \$300 million in state support.

A copy of an Application for Real Property Tax Exemption on Form RP-412-a with attached PILOT agreement was received from Harris Beach, PLLC and the Wayne County Industrial Development Agency for the **CDG Huron Solar 1, 2019 LLC Project**, dated October 21, 2019, for property located within the Town of Huron.

A Notice of Public Hearing and financial assistance contemplated by the Wayne County Industrial Development Agency, dated for November 20, 2019 at 9:00 a.m. will be held at the Macedon Town Hall, 32 Main Street, Macedon, NY for **NY Macedon I, LLC Project** for an acquisition of property for approximately 14 acres located at 2 Frey Road in the Town of Macedon.

A Notice of Public Hearing and financial assistance contemplated by the Wayne County Industrial Development Agency, dated for November 20, 2019 at 9:00 a.m. will be held at the Macedon Town Hall, 32 Main Street, Macedon, NY for **NY Macedon II, LLC Project** for an acquisition of property for approximately 12 acres located at 2 Frey Road in the Town of Macedon.

A Notice of Public Hearing and financial assistance contemplated by the Wayne County Industrial Development Agency, dated for November 21, 2019 at 9:00 a.m. will be held at the Ontario Town Hall, 1850 Ridge Road, Ontario, NY for **NY Ontario I, LLC Project** for an acquisition of property for approximately 19 acres located at 6686 Furnace Road in the Town of Ontario.

A List of Delinquent Taxes for 2019 from the Wayne County Treasurer was received and filed.

Copy of an adopted resolution was received from the Yates County Legislature regarding the endorsement of Peter J. Bekisz for appointment to the Finger Lakes Workforce Investment Board.

A copy of the County Auditor's accounts payable report for monthly utilities, miscellaneous

payments including the October 2019 warrants for accounts payable, totaling \$6,724,740.20 was received and filed.

Mrs. Crane moved, seconded by Mr. Verkey seconded that the November communications be received and filed. Motion carried.

**SCHEDULED BUSINESS:**

**PRESENTATION - 2020 Census Count**

Kristine Hanford, Partnership Specialist for the New York Regional Census Center spoke to the Board to educate them about the census. The census is easy, safe and important and in the past Wayne County has lost Congressional representation and Federal funding because their population is under represented. Redistricting will occur in 2021. Mrs. Hanford said Wayne County has lost about one-fifth of their Federal funding because of low census counts. The census is mandated by Congress and has been done every ten years since 1790. Individuals need to register their residence as the place they live the majority of the year. In mid-march postcards will be sent to allow for response by telephone or e-mail, if no response is received, individuals will receive a questionnaire in the mail, if this is not responded to a census worker will come to your home. All census workers will have identification and will be penalized if they disclose any personal information they collected. The census system is protected by a cyber security program. There are both full and part-time positions available with the census paying \$17 an hour and 58 cents a mile. Additional information is available at [2020census.gov/jobs](http://2020census.gov/jobs)

**2020 Tentative Budget Presentation**

Ken Blake, Fiscal Assistant and Deputy Budget Officer, updated the Board on the proposed 2020 County budget. A change will be made to the tentative budget regarding charge backs, the change will not result in any additional cost. At this point the County's 2020 tentative budget does not exceed the tax cap. The property tax levy has been raised from \$40.4 million to \$41.5 million, community college expenses were lowered \$300,000, and an IGT revenue of \$2.7 million to the Nursing Home is included along with an offsetting expense to the General Fund of \$1.3 for receipt of these funds. The Nursing Home operated at a profit in 2019. Mr. Miller questioned if the increase in the tax levy is due to inflation or due to new growth in the County; he was informed this is not broken down. Mr. Blake reviewed new positions included in the budget, noting the cost to the County is minimal. The amount needed from the General Fund to keep the budget under the 2% tax cap is \$5,671,740. Tobacco settlement revenues of \$1 million annually will be eliminated in 2023. Mr. Blake said the County needs to financially prepare for revenue reductions. As presented, the tax rate for the County would be reduced to \$7.82.

Prior to the opening of the three scheduled public hearings for this morning, Chairman LeRoy took this opportunity to introduce and welcome **Mr. Thomas Crowley and the Newark Government Class** to today's Board Meeting.

**PUBLIC HEARINGS:**

At 10:00 a.m., Chairman LeRoy read the rules and procedures that are followed for conducting such hearings for this Board.

The Clerk read the following introduction of the **Notice of Public Hearing** regarding overriding the tax levy limit for Wayne County, scheduled for 9:05 a.m.:

**COUNTY OF WAYNE  
NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW**

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on **Tuesday, November 19, 2019 at 9:05 a.m.** in the Supervisors Chambers in

the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

**COUNTY OF WAYNE - STATE OF NEW YORK  
INTRO NO. 5/LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2019**

A Local law overriding the tax levy limit for Wayne County for 2020 and authorizing the adoption of a budget for 2020 that requires a tax levy greater than the tax levy limit for the 2020 fiscal year.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE AS FOLLOWS:

**SECTION 1. LEGISLATIVE FINDINGS AND PURPOSE**

a. By Chapter 97 of the Laws of 2011, effective June 24, 2011, codified as Section 3-c of the General Municipal Law, the State of New York imposed upon counties and other local governments and school districts, with certain exceptions, a two percent limit on the annual increase in the amount of real property taxes that may be levied by or on behalf of such entities.

b. General Municipal Law Section 3-c (6) provides that if a local government's actual tax levy for a given fiscal year exceeds the tax levy limit, as determined by the State Comptroller, the local government must place the excess amount of the levy in reserve and use such funds to offset the tax levy for the ensuing fiscal year.

c. General Municipal Law Section 3-c (5) provides that a local government may adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year only if the governing body first enacts, by a vote of 60 percent of the total voting power, a local law to override such limit.

d. Due to the cost of State mandated programs and services the Wayne County Board of Supervisors has been forced to authorize the override of the State imposed tax cap in order to have sufficient funds to protect the well-being of the citizens of Wayne County and provide essential local public health, safety, and infrastructure programs and services.

e. Mandated State programs and services include Medicaid, Public Assistance, Child Welfare, Pre-School Special Education, Indigent Defense, Early Intervention, Youth Detention and Pension Costs. These State mandated programs and services must be paid first before local taxes may be used for County purposes.

f. Wayne County can effectively implement a property tax cap only if there is a meaningful action by the State of New York to control the cost of State Mandated Programs and Services and provide mandate relief.

g. The purpose of this local law is to comply with the requirements of General Municipal Law §3-c prior to adopting the 2020 County Budget.

**SECTION 2. BUDGET AUTHORIZATION**

The Wayne County Board of Supervisors hereby overrides the tax levy limit for Wayne County for 2020 and authorizes Wayne County to immediately adopt a budget for 2020 that requires a tax levy that is greater than the tax levy limit calculated for 2020 pursuant to §3-c of the General Municipal Law.

**SECTION 3. SEVERABILITY**

If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid, or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this law which shall remain in full force and effect.

**SECTION 4. EFFECTIVE DATE**

This local law shall take effect immediately upon passage by this Legislative Body.

At 10:01 a.m., Chairman LeRoy opened the floor for the public, stating that people interested in making comment should come forward to the podium to address the Board. Further, he requested that they state their name and address for the record.

There was no public comment at this time.

After an additional request for comment was made, Chairman LeRoy asked for a motion to close the hearing.

Mrs. Crane moved, seconded by Mr. Robusto, that the hearing be closed at 10:02 a.m. Upon roll call, carried.

The Clerk read the title of the second **Notice of Public Hearing** scheduled today at 9:10 a.m., regarding a Local Law providing for amending the longevity payment schedule for non-elected County Officers and employees.

**COUNTY OF WAYNE  
NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW**

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on **Tuesday, November 19, 2019 at 9:10 a.m.** in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

**COUNTY OF WAYNE - STATE OF NEW YORK  
INTRO NO. 6/LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2019**

A local law amending the longevity payment schedule for non-elected County Officers and employees not subject to collective bargaining agreements, as established by local law No. 7-1984 and amended by Local Law No. 1-1986, Local Law No. 5-1988, Local Law No. 5-1993, Local Law No. 1-1994, Local Law No. 3-1994, Local Law No. 4-1995, Local Law No. 1-1998, Local Law No. 3-1998, Local Law No. 3-2001 and Local Law No. 5-2014.

**BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE**, as follows:

**SECTION 1.**

Section 1 of Local law No. 7-1984 entitled "A Local law Establishing Longevity Payment Schedule for Non-Elected County Officers and Employees not Subject to Collective Bargaining Agreements", as amended by Local Law No. 1-1986, Local Law No. 5-1988, Local Law No. 5-1993, Local Law No. 1-1994, Local Law No. 3-1994; Local Law No. 4-1995, Local Law No. 1-1998, Local Law No. 3-1998, Local Law No. 3-2001 and 4-2014 is hereby amended to read as follows:

**"Section 1.**

(a) Except as provided in subdivision (b) of Local Law No. 3-1998 as amended, effective from and after January 1, 2020 and continuing annually thereafter, all full-time, non-elected County officers and employees not subject to collective bargaining agreements shall receive, in addition to adopted salary, longevity payments upon completion of 5, 7, 10, 13, 16, 20, 25 and 30 years of full-time continuous service with the County in accordance with the following schedule:

**2020**

After 5 years	\$ 425
After 7 years	\$ 625
After 10 years	\$1,075
After 13 years	\$1,500
After 16 years	\$1,750
After 20 years	\$2,250
After 25 years	\$3,000
After 30 years	\$5,000

(b) Effective from and after July 1, 1998, and continuing annually thereafter, the Undersheriff

and Chief Deputy of the Wayne County Sheriff's Department shall receive in addition to adopted salary schedules, longevity payments upon completion of 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23 years of full-time continuous service with Wayne County in accordance with the following schedule:

After 5 years	1% of adopted salary
After 6 years	1.5% of adopted salary
After 7 years	2% of adopted salary
After 8 years	2.5% of adopted salary
After 9 years	3% of adopted salary
After 10 years	3.5% of adopted salary
After 11 years	4% of adopted salary
After 12 years	4.5% of adopted salary
After 13 years	5% of adopted salary
After 14 years	5.5% of adopted salary
After 15 years	6% of adopted salary
After 16 years	6.5% of adopted salary
After 17 years	7% of adopted salary
After 18 years	7.5% of adopted salary
After 19 years	8% of adopted salary
After 20 years	8.5% of adopted salary
After 21 years	9% of adopted salary
After 22 years	9.5% of adopted salary
After 23 years	10% of adopted salary."

**SECTION 2.**

This local law is adopted subject to a permissive referendum, and the Clerk of the Board of Supervisors shall give public notice thereof in the manner provided by law.

**SECTION 3.**

This amended local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2020.

Chairman LeRoy opened the floor for public comment for this hearing.

Sheriff Virts requested to address the Board to comment that this longevity schedule does not truly represent a department heads full body of work, suggesting that prior experience in other positions could be considered in this schedule.

There was some discussion and comment regarding the proposed longevity local law.

An additional request for public comment was made by the Chairman. Being none, he asked for a motion to close the hearing at 10:07 a.m.

Mr. Miller moved, seconded by Mr. Chatfield, that the hearing be closed. Upon roll call, carried.

The Clerk read the introduction of the third **Notice of Public Hearing** scheduled today at 9:15 a.m., regarding a Local Law providing for changes in the salaries of certain County Officers during their term of office:

**COUNTY OF WAYNE  
NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW**

NOTICE IS HEREBY GIVEN that the Wayne County Board of Supervisors will hold a public hearing on **Tuesday, November 19, 2019 at 9:15 a.m.** in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law:

**COUNTY OF WAYNE - STATE OF NEW YORK**

**INTRO NO. 7/LOCAL LAW NO. \_\_\_\_ FOR THE YEAR 2019**

A Local Law providing for changes in the salaries of certain County Officers during their term of office.

**BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF**

**WAYNE**, as follows:

- SECTION 1. The annual salary of the County Clerk shall be \$90,995 effective January 1, 2020
- SECTION 2. The annual salary of the County Treasurer shall be \$86,310 effective January 1, 2020
- SECTION 3. The annual salary of the Sheriff shall be \$120,911 effective January 1, 2020
- SECTION 4. The annual salary of the District Attorney shall be \$200,400 effective January 1, 2020
- SECTION 5. The annual salary of the Public Defender shall be \$107,568 effective January 1, 2020
- SECTION 6. The annual salary of the County Administrator shall be \$129,292 effective January 1, 2020
- SECTION 7. The annual salary of the Director of Real Property Tax Services shall be \$74,947 effective January 1, 2020
- SECTION 8. The annual salary of the Human Resource Director shall be \$79,295 effective January 1, 2020
- SECTION 9. The annual salary of the County Attorney shall be \$119,197 effective January 1, 2020
- SECTION 10. The annual salary of the Election Commissioner shall be \$13,661 effective January 1, 2020
- SECTION 11. The annual salary of the Election Commissioner shall be \$13,661 effective January 1, 2020
- SECTION 12. The annual salary of the Commissioner of Social Services shall be \$101,975 effective January 1, 2020
- SECTION 13. The annual salary of the Superintendent of Public Works shall be \$111,069 effective January 1, 2020
- SECTION 14. The annual salary of the County Auditor shall be \$63,213 effective January 1, 2020.
- SECTION 15. An incumbent holding a position subject to the provisions of Sections 1 through 12 of this local law at the time during the period from the effective date of the salary increase for such position until the time when basic annual salaries are first paid pursuant to this local law for such services in excess of the compensation actually received therefore, shall be entitled to a lump sum payment for the difference between the salary to which such incumbent was entitled for such service and the compensation actually received therefore. Such lump-sum payment shall be made as soon as practicable after this local law becomes effective.
- SECTION 16. If any clause, sentence, paragraph, part or provision of this local law shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its effect and operation to the clause, sentence, paragraph, part or provision thereof directly involved in the controversy in which such judgment is rendered.
- SECTION 17. This local law is adopted subject to a permissive referendum, and the Clerk of the Board of Supervisors shall give public notice thereof, in the manner provided by law.

**SECTION 18.** This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2020.

Chairman LeRoy opened the floor for public comment regarding the amendment to the annual salaries. There was no interest from the public to make comment at this time.

An additional request for public comment was made by Chairman LeRoy. Being none, he asked for a motion to close the hearing at 10:07 a.m.

Mrs. Crane moved, seconded by Mrs. Pagano, that the hearing be closed. Upon roll call, carried.

**PRIVILEGE OF THE FLOOR:**

Chairman LeRoy opened the floor at this time for members of the public to address the Board of Supervisors regarding items listed on the agenda for action.

There was no public comment for agenda items this morning.

**RESOLUTION NO. 529-19: STATEMENT OF LEVY OF CHARGES FOR TOWN ACCOUNTS**

Mrs. Pagano presented the following:

WHEREAS, the Clerk of the Board has prepared the annual statement of accounts that are chargeable back to the towns within the County of Wayne for the period from November 1, 2018 through October 31, 2019; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to levy the following Statement of Town Accounts on the 2020 tax rolls upon the taxable property of the respective towns liable for the payment of such accounts:

**STATEMENT OF TOWN ACCOUNTS – NOVEMBER 1, 2018 THROUGH OCTOBER 31, 2019**

<b>Town of Arcadia</b>					
Cablevision Franchise Tax					\$3,792.45
2019 Tax Roll Excess and Deficit					\$0.00
Erroneous Taxes	Res #	Name	Year	Amount	
	579-18	Patterson, J & S	2016	117.07	
	579-18	Patterson, J & S	2017	116.80	
	579-18	Patterson, J & S	2018	119.09	
	153-19	MRFF Properties LLC	2019	191.20	
	446-19	Duval, Larry K	2017	1.45	
	446-19	Duval, Larry K	2018	1.47	
	446-19	Duval, Larry K	2019	1.48	548.56
Paid by Town Ck# 9174	11/14/19				<u>-\$4,341.04</u>
					<b><u>\$0.00</u></b>

<b>Town of Butler</b>	
Cablevision Franchise Tax	\$0.00

2019 Tax Roll Excess and Deficit		\$0.27
Erroneous Taxes		\$0.00
Paid by Town - Cash	11/6/19	<u>-\$0.27</u>
		<b>\$0.00</b>

**Town of Galen**

Cablevision Franchise Tax		\$992.26
2019 Tax Roll Excess and Deficit		\$0.38
Erroneous Taxes		\$0.00
Paid by Town Ck# 20802	11/12/19	<u>-\$992.64</u>
		<b>\$0.00</b>

**Town of Huron**

Cablevision Franchise Tax		\$873.91
2019 Tax Roll Excess and Deficit		-\$0.81
Erroneous Taxes		\$0.00
Paid by Town Ck# 6747	11/07/19	<u>\$873.10</u>
		<b>\$0.00</b>

**Town of Lyons**

Cablevision Franchise Tax		\$2,102.91
2019 Tax Roll Excess and Deficit		-\$0.37
Erroneous Taxes	Res # Name Year Amount	
	153-19 WC Reg. Land Bank 2019 \$ 283.96	\$283.96
Paid by Town Ck# 19299	11/12/19	<u>-\$2,386.50</u>
		<b>\$0.00</b>

**Town of Macedon**

Cablevision Franchise Tax		\$2,283.53
2019 Tax Roll Excess and Deficit		-\$0.05
Erroneous Taxes		\$0.00
		<b>\$2,283.48</b>

**Town of Marion**

Cablevision Franchise Tax		\$1,561.43
2019 Tax Roll Excess and		<u>\$7.22</u>

Deficit		
Erroneous Taxes		<u>\$0.00</u>
Paid by Town Ck# 22672	10/28/19	<u><del>-\$1,568.65</del></u>
		<b><u>\$0.00</u></b>

**Town of Ontario**

Cablevision Franchise Tax		\$1,818.78
2019 Tax Roll Excess and Deficit		\$9.17
Erroneous Taxes		\$0.00
Paid by Town Ck# 46374	11/18/19	<u><del>-\$1,827.95</del></u>
		<b><u>\$0.00</u></b>

**Town of Palmyra**

Cablevision Franchise Tax		\$1,711.67
2019 Tax Roll Excess and Deficit		-\$0.44
Erroneous Taxes	Res # Name Year Amount	
	153-19 WC Reg. Land Bank 2019 292.28 292.28	
		<b><u>\$2,003.51</u></b>

**Town of Rose**

Cablevision Franchise Tax		\$171.76
2019 Tax Roll Excess and Deficit		-\$0.39
Erroneous Taxes		\$0.00
		<b><u>\$171.37</u></b>

**Town of Savannah**

Cablevision Franchise Tax		\$428.11
2019 Tax Roll Excess and Deficit		\$0.45
Erroneous Taxes		\$0.00
Paid by Town Ck# 18245	11/12/19	<u><del>-\$428.56</del></u>
		<b><u>\$0.00</u></b>

**Town of Sodus**

Cablevision Franchise Tax		\$2,588.19
2019 Tax Roll Excess and Deficit		-\$0.69

Erroneous Taxes	Res #	Name	Year	Amount	
	153-19	WC Reg. Land Bank	2019	62.08	
Court Order Matter		Christian Nadler	2019	2,371.96	
Court Order Matter		Conifer/Swiird Preserv.	2019	1,212.05	3,646.09
Paid by Town Ck# 8478	11/13/19				<u>-\$6,233.59</u>
					<b><u>\$0.00</u></b>

**Town of Walworth**

Cablevision Franchise Tax					\$1,957.68
2019 Tax Roll Excess and Deficit					\$0.63
Erroneous Taxes	Res #	Name	Year	Amount	
	155-19	Lewis Bertram	2019	236.56	
	257-19	Sacchitella, Philip N	2018	166.77	\$403.33
Paid by Town Ck# 7137	11/06/19				<u>-\$2,361.64</u>
					<b><u>\$0.00</u></b>

**Town of Williamson**

Cablevision Franchise Tax					\$2,124.97
2019 Tax Roll Excess and Deficit					-\$9.04
Erroneous Taxes		Name	Year	Amount	
Roll Section 8		Write off-Caulkins Tire	2018	182.40	\$182.40
Paid by Town Ck# 17113	11/13/19				<u>-\$2,298.33</u>
					<b><u>\$0.00</u></b>

**Town of Wolcott**

Cablevision Franchise Tax					\$1,131.39
2019 Tax Roll Excess and Deficit					-\$2.02
Erroneous Taxes	Res #	Name	Year	Amount	
	153-19	DeMass, Ronald & Rose	2018	206.82	
	153-19	DeMass, Ronald & Rose	2019	386.22	
	257-19	Wride, Gerald	2018	206.82	
	257-19	Wride, Gerald	2019	390.08	
	258-19	WC Reg. Land Bank	2019	347.93	<u>\$1,537.87</u>

		\$2,667.24
Paid portion by Town Ck#	11/19/19	<u>-\$1,537.87</u>
		<b><u>\$1,129.37</u></b>

Mr. Deming moved the adoption of the resolution. Seconded by Mrs. Crane.

Mrs. Pagano moved, second by Mr. Deming to amend the Town of Marion's portion, as follows:

<b>Town of Marion</b>		
Cablevision Franchise Tax		\$1,561.43
2019 Tax Roll Excess and Deficit		1,256.42
Erroneous Taxes		<u>\$0.00</u>
		<u>\$2,817.85</u>
Paid by Town Ck# 22672	10/28/ 19	-\$1,568.65
Amount due to the Town		<b><u>-\$1,249.20</u></b>

Motion carried.  
Upon roll call, the Chairman declared the amended resolution adopted.

**RESOLUTION NO. 530-19: ADOPTING MORTGAGE TAX REPORT AND AUTHORIZING COUNTY TREASURER TO MAKE PAYMENT TO TOWNS AND VILLAGES**

Mrs. Pagano presented the following:

WHEREAS, the Finance Committee of the Wayne County Board of Supervisors has filed a report showing the mortgage tax monies received by the Wayne County Treasurer during April 1, 2019 to September 30, 2019, and recommend payment to the Villages and Towns as apportioned in such report as follows:

<u>TOWN</u>	<u>TOWN</u>	<u>VILLAGE</u>	<u>VILLAGE</u>	<u>TOTAL</u>
<u>SHARE</u>	<u>VILLAGE</u>	<u>SHARE</u>	<u>TOTAL</u>	
Arcadia	73,117.65	Newark	30,776.72	103,894.37
Butler	9,823.32	Wolcott	508.48	10,331.80
Galen	13,791.05	Clyde	2,886.82	16,677.87
Huron	28,137.56		0.00	28,137.56
Lyons	23,476.72	Lyons	0.00	23,476.72
Macedon	76,316.85	Macedon	0.00	76,316.85
Marion	32,730.82		0.00	32,730.82
Ontario	131,875.06		0.00	131,875.06
Palmyra	41,580.97	Palmyra	9,256.94	50,837.91
Rose	11,373.48		0.00	11,373.48
Savannah	6,098.06		0.00	6,098.06
Sodus	37,529.86	Sodus	2,697.65	46,254.84

		Sodus Pt.	6,027.34	
Walworth	110,139.40		0.00	110,139.40
Williamson	61,834.10			61,834.10
		Red Creek	613.65	
Wolcott	12,463.83	Wolcott	1,431.27	14,508.75
<b>TOTAL</b>	<b>670,288.73</b>		<b>54,198.86</b>	<b>724,487.59</b>

now, therefore, be it

RESOLVED, that the Mortgage Tax Report submitted by the Finance Committee is hereby accepted, the recommendation for payments to the Villages and Towns contained in such report is hereby adopted, and the County Treasurer is hereby authorized and directed to make such payments pursuant to the report.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Robusto. Upon roll call, adopted.

**RESOLUTION NO. 531-19: ACKNOWLEDGING RECEIPT OF THE 2020 TENTATIVE WAYNE COUNTY BUDGET**

Mrs. Pagano presented the following:

WHEREAS, the Budget Officer provided the Clerk of the Board with the 2020 Tentative Wayne County Budget on November 15, 2019; and

WHEREAS, the Deputy Budget Officer has made a presentation on the 2020 Tentative Budget for the fiscal year beginning January 1, 2020 to the Board of Supervisors; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby acknowledges the receipt of the 2020 Tentative Wayne County Budget.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, adopted.

**RESOLUTION NO. 532-19: ADOPTION OF LOCAL LAW OVERRIDING THE TAX LEVY LIMIT FOR WAYNE COUNTY FOR 2020 AND AUTHORIZING THE ADOPTION OF A BUDGET FOR 2020 THAT REQUIRES A TAX LEVY GREATER THAN THE TAX LEVY LIMIT FOR THE 2020 FISCAL YEAR**

Mrs. Pagano presented the following:

WHEREAS, a proposed local law overriding the tax levy limit for Wayne County for 2020 and authorizing the adoption of a budget for 2020 that requires a tax levy greater than the tax levy limit for the 2020 fiscal year was presented to the Board of Supervisors on October 15, 2019; and

WHEREAS, a public hearing on the proposed local law was held on November 19, 2019 at 9:05 a.m. in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

RESOLVED, that said local law is hereby adopted to read as follows:

**COUNTY OF WAYNE - STATE OF NEW YORK  
LOCAL LAW NO. 5 FOR THE YEAR 2019**

A Local law overriding the tax levy limit for Wayne County for 2020 and authorizing the adoption of a budget for 2020 that requires a tax levy greater than the tax levy limit for the 2020 fiscal year.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE AS FOLLOWS:

**SECTION 1. LEGISLATIVE FINDINGS AND PURPOSE**

- a. By Chapter 97 of the Laws of 2011, effective June 24, 2011, codified as Section 3-c of the General Municipal Law, the State of New York imposed upon counties and other local governments and school districts, with certain exceptions, a two percent limit on the annual increase in the amount of real property taxes that may be levied by or on behalf of such entities.
- b. General Municipal Law Section 3-c (6) provides that if a local government's actual tax levy for a given fiscal year exceeds the tax levy limit, as determined by the State Comptroller, the local government must place the excess amount of the levy in reserve and use such funds to offset the tax levy for the ensuing fiscal year.
- c. General Municipal Law Section 3-c (5) provides that a local government may adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year only if the governing body first enacts, by a vote of 60 percent of the total voting power, a local law to override such limit.
- d. Due to the cost of State mandated programs and services the Wayne County Board of Supervisors has been forced to authorize the override of the State imposed tax cap in order to have sufficient funds to protect the well-being of the citizens of Wayne County and provide essential local public health, safety, and infrastructure programs and services.
- e. Mandated State programs and services include Medicaid, Public Assistance, Child Welfare, Pre-School Special Education, Indigent Defense, Early Intervention, Youth Detention and Pension Costs. These State mandated programs and services must be paid first before local taxes may be used for County purposes.
- f. Wayne County can effectively implement a property tax cap only if there is a meaningful action by the State of New York to control the cost of State Mandated Programs and Services and provide mandate relief.
- g. The purpose of this local law is to comply with the requirements of General Municipal Law §3-c prior to adopting the 2020 County Budget.

**SECTION 2. BUDGET AUTHORIZATION**

The Wayne County Board of Supervisors hereby overrides the tax levy limit for Wayne County for 2020 and authorizes Wayne County to immediately adopt a budget for 2020 that requires a tax levy that is greater than the tax levy limit calculated for 2020 pursuant to §3-c of the General Municipal Law.

**SECTION 3. SEVERABILITY**

If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid, or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this law which shall remain in full force and effect.

**SECTION 4. EFFECTIVE DATE**

This local law shall take effect immediately upon passage by this Legislative Body.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Emmel.

Mr. Baldrige addressed the Board to note that he would not support this resolution. This action was not required as we will not need to override the 2% tax cap and this sends the wrong message to our taxpayers.

Mrs. Crane commented that she does not approve of the Tax Cap from the Governor as they do not abide any cap when they impose mandates on the counties.

Upon roll call, all Supervisors voted Aye, except Supervisors Spickerman and Baldrige who voted Nay. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 533-19: AUTHORIZATION TO AMEND THE 2019 BUDGET TO ALLOCATE PERSONAL SERVICES, SOCIAL SECURITY AND RETIREMENT BUDGETS TO DEPARTMENTS FOR CONTRACT PAY INCREASES ORIGINALLY BUDGETED IN CONTINGENCIES – Dep. Sheriffs and Lieutenants Units**

Mrs. Pagano presented the following:

WHEREAS, the 2019 budget includes a contingency budget for the anticipated financial impact of bargaining unit contract settlements to take place during 2019; and

WHEREAS, Wayne County entered into new contracts with the Teamsters Local 118 for the Deputy Sheriffs unit and the Wayne County Sheriff's Lieutenants Association for the Lieutenants unit, resulting in increased Personal Services, Retirement, and Social Security costs for 2019; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to amend the 2019 County Budget as follows:

**A3111 Recreation Safety**

(Appropriations)

\$ 5,034 to 51907 Retro-pay  
\$ 1,007 to 58100 Retirement  
\$ 385 to 58200 Social Security

**A3112 Civil Office**

(Appropriations)

\$ 13,525 to 51907 Retro-pay  
\$ 2,705 to 58100 Retirement  
\$ 1,035 to 58200 Social Security

**A3113 Juvenile**

(Appropriations)

\$ 4,537 to 51907 Retro-pay  
\$ 907 to 58100 Retirement  
\$ 347 to 58200 Social Security

**A1990 Contingencies**

(Appropriations)

\$ 374,194 from 54000 Contractual Expenses

**A3114 Road Patrol**

(Appropriations)

\$ 176,551 to 51907 Retro-pay  
\$ 35,311 to 58100 Retirement  
\$ 13,506 to 58200 Social Security

**A3115 Sheriff – Detective Unit**

(Appropriations)

\$ 51,215 to 51907 Retro-pay  
\$ 10,243 to 58100 Retirement  
\$ 3,918 to 58200 Social Security

**A3150 Jail**

(Appropriations)  
\$ 42,278 to 51907 Retro-pay  
\$ 8,456 to 58100 Retirement  
\$ 3,234 to 58200 Social Security

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Emmel. Upon roll call, adopted.

**RESOLUTION NO. 534-19: AUTHORIZATION TO SHARE DEFENSE COSTS FOR REAL PROPERTY TAX ASSESSMENT REVIEW PROCEEDINGS (ARTICLE 7 LITIGATION) - WILLIAMSON**

Mrs. Pagano presented the following:

WHEREAS, proceedings to review real property tax assessments are annually commenced against assessing units, namely the Towns of Wayne County; and

WHEREAS, County taxes are based upon assessments established by the assessing units; and

WHEREAS, the County tax levy is, therefore, affected by any court ordered or stipulated reduction in assessed valuation; and

WHEREAS, this Board approved Resolution No. 444-95, amended by Res. No. 700-06, which was amended by Res. No. 688-07 which was again amended by Res. No. 307-10 and subsequently amended by Res. No. 591-15 and again amended by Res. No. 524-17 which defined standards and procedures for County participation in litigation involving challenges to real property assessments; and

WHEREAS, a request from the Town of Williamson has been received by the Real Property Tax Services Director and reviewed and recommended by the Director and the County Attorney; and

WHEREAS, the written request from the Town of Williamson does include statement of fact that the Town of Williamson and the Williamson Central School District have resolved for their respective Board approval to share equally in the defense costs for Real Property Tax Assessment review Article 7 proceedings; now, therefore, be it

RESOLVED, that the County of Wayne will participate in providing financial assistance for litigation challenges of real property tax assessments per the provisions of Res. No. 524-17 for the following Town and their respective petition:

<u>TOWN</u>	<u>Property Owner</u>	<u>Parcel ID#</u>	<u>Index #(s)</u>
Williamson	Walgreen Co.	65117-08-910873	CV084516 – 2019
Williamson	Whispering Woods Estates MHC	65117-00-700699	CV084522 – 2019

Mr. Deming moved the adoption of the resolution. Seconded by Mr. Robusto. Upon roll call, adopted.

**RESOLUTION NO. 535-19: AUTHORIZATION TO SHARE DEFENSE COSTS FOR REAL PROPERTY TAX ASSESSMENT REVIEW PROCEEDINGS (ARTICLE 7 LITIGATION) - MACEDON**

Mrs. Pagano presented the following:

WHEREAS, proceedings to review real property tax assessments are annually commenced against assessing units, namely the Towns of Wayne County; and

WHEREAS, County taxes are based upon assessments established by the assessing units; and

WHEREAS, the County tax levy is, therefore, affected by any court ordered or stipulated reduction in assessed valuation; and

WHEREAS, this Board approved Resolution No. 444-95, amended by Res. No. 700-06, which was amended by Res. No. 688-07 which was again amended by Res. No. 307-10 and subsequently amended by Res. No. 591-15 and again amended by Res. No. 524-17 which defined standards and procedures for County participation in litigation involving challenges to real property assessments; and

WHEREAS, a request from the Town of Macedon has been received by the Real Property Tax Services Director and reviewed and recommended by the Director and the County Attorney; and

WHEREAS, the written request from the Town of Williamson does include statement of fact that the Town of Macedon and the Pal-Mac Central School District have resolved for their respective Board approval to share equally in the defense costs for Real Property Tax Assessment review Article 7 proceedings; now, therefore, be it

RESOLVED, that the County of Wayne will participate in providing financial assistance for litigation challenges of real property tax assessments per the provisions of Res. No. 524-17 for the following Town and their respective petition:

TOWN	Property Owner	Parcel ID#	Index #(s)
Macedon	DB Properties, LLC	61112-00-275327 61112-00-259374	CV084485 – 2019
Macedon	Jindal Films America, LLC	61111-00-691932	CV084408 – 2019
Macedon	Speedway, LLC	62111-08-953917	CV084486 – 2019

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Verno. Upon roll call, adopted.

**RESOLUTION NO. 536-19: RESOLUTION TO AMEND RESOLUTION NO. 455-19 ESTABLISHING TOWN EQUALIZATION RATES FOR 2020 COUNTY TAXES**

Mrs. Pagano presented the following:

WHEREAS, on September 24, 2019, the Wayne County Board of Supervisor adopted Resolution No. 455-19 Establishing Town Equalization Rates for 2020 County Taxes; and

WHEREAS, it was brought to the attention of the Real Property Tax Director that the Equalization rate for the Town of Arcadia should not be rounded to 88; where in fact, the Final Equalization rate determined by NYS is actually 87.82; now, therefore, be it

RESOLVED, pursuant to Section 804 of the Real Property Tax Law, that the following rates recommended by the County Finance Committee of the Wayne County Board of Supervisors are hereby adopted and established as the County Equalization rates for the towns in Wayne County for the year 2019 to affect the 2020 County taxes:

Arcadia	87.82	Palmyra	100.00
Butler	100.00	Rose	93.00
Galen	78.00	Savannah	98.00
Huron	100.00	Sodus	98.00
Lyons	100.00	Walworth	92.00
Macedon	96.00	Williamson	98.00
Marion	96.00	Wolcott	100.00
Ontario	94.00		

and be it further

RESOLVED, in accordance with the provision of Subdivision 2 of Section 804 of the Real Property Tax Law, that within five (5) days of the date of the adoption of this resolution, the Clerk of the Board shall transmit to each town, on a form prescribed by the State Board of Real Property Services, a written notification of the County equalization rate established for each town.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Deming. Upon roll call, adopted.

**RESOLUTION NO. 537-19: AUTHORIZATION TO ACCEPT SEALED BID AND EXECUTE QUIT-CLAIM DEED FOR SALE OF COUNTY PROPERTY - TOWN OF ARCADIA**

Mrs. Pagano presented the following:

WHEREAS, pursuant to Resolution No. 458-19, parcel 68111-17-140215 was acquired by the County by tax deed; and

WHEREAS, said property was advertised for sealed bids and due to the County Treasurer's Office on October 18, 2019; and

WHEREAS, bids were received as follows:  
Town of Arcadia - Tax Map # 68111-17-140215

Bidder	Bid Amount
Joshua Davis	\$27,900.00
Scott Ghidiu	\$26,333.00

WHEREAS, a minimum bid of \$20,000.00 was required and a bid of \$27,900.00 was received from an acceptable bidder per the terms and conditions of the sale; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby accepts the high bid of \$27,900.00 from Joshua Davis; and be it further

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized and directed to execute a quit-claim deed and any required documents for said parcel, subject to the approval of the County Attorney; and be it further

RESOLVED, that the County Treasurer is required to collect the balance due before the title is transferred, subject to the terms and conditions of the sale.

Mr. Chatfield moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 538-19: AUTHORIZATION FOR WAYNE COUNTY TO UTILIZE OMNIA PARTNERS COOPERATIVE CONTRACTS FOR PROCUREMENT**

Mrs. Pagano presented the following:

WHEREAS, Resolution No. 300-14 authorized Wayne County to "piggyback" on contracts let by political subdivisions through The Cooperative Purchasing Network (TCPN) and U.S. Communities; and

WHEREAS, TCPN is now referred to as National Intergovernmental Purchasing Alliance (NIPA); and

WHEREAS, NIPA and U.S. Communities have come together as wholly-owned subsidiaries of OMNIA Partners, Public Sector; and

WHEREAS, the use of these cooperative purchasing organizations continues to be advantageous as it allows the County to leverage nationwide collective buying power to achieve competitive pricing; now, therefore, be it

RESOLVED, that Wayne County is hereby an authorized public sector participant of OMNIA Partners for the use of cooperative contracts; and be it further

RESOLVED, that the use of these contracts will be subject to review and approval of the County Attorney as to form, content and compliance with County Purchasing Policy.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Emmel. Upon roll call, adopted.

**RESOLUTION NO. 539-19: AUTHORIZATION TO AMEND THE 2019 BUDGET TO ALLOCATE PERSONAL SERVICES, RETIREMENT, AND SOCIAL SECURITY BUDGETS TO DEPARTMENTS FOR CONTRACT PAY INCREASES ORIGINALLY BUDGETED IN CONTINGENCIES – General/Supervisory Units**

Mrs. Pagano presented the following:

WHEREAS, the 2019 budget includes a contingency budget for the anticipated financial impact of bargaining unit contract settlements to take place during 2019; and

WHEREAS, Wayne County entered into new contracts with Local 859 CSEA General Unit (Res. No. 372-19), Local 859 CSEA Supervisory Unit (Res. No. 325-19), and Local 81380 IUE-CWA (Res. No. 648-18), resulting in increased Personal Services, Retirement, and Social Security costs for 2019; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to transfer \$262,809 from the Nursing Home Unassigned Fund Balance; and be it further

RESOLVED, that the County Treasurer is hereby authorized to amend the 2019 County Budget as follows:

Increase the following Accounts by the respective Amounts:

	Org Pay				Social		
	Increase	Amount	Retirement	Amount	Security	Amount	
A11651	51907	1,806	58100	285	58200	138	
A11701	51907	4,710	58100	744	58200	360	
A13251	51907	4,806	58100	759	58200	367	
A13551	51907	7,216	58100	1,141	58200	553	
A14101	51907	12,801	58100	2,023	58200	979	
A14301	51907	1,964	58100	310	58200	150	
A16151	51907	25,359	58100	4,007	58200	1,940	
A16401	51907	4,369	58100	690	58200	334	
A16801	51907	23,939	58100	3,782	58200	1,831	
A31101	51907	1,024	58100	162	58200	78	
A31121	51907	2,545	58100	402	58200	195	
A31191	51907	5,767	58100	911	58200	441	
A31401	51907	42,738	58100	6,752	58200	3,270	
A31501	51907	6,217	58100	982	58200	476	
A34101	51907	1,034	58100	163	58200	79	
A36401	51907	6,810	58100	1,076	58200	521	
A36421	51907	42,047	58100	6,644	58200	3,217	
A36441	51907	14,778	58100	2,335	58200	1,131	
A40101	51907	6,018	58100	951	58200	460	
A40111	51907	9,696	58100	1,532	58200	741	
A40161	51907	6,228	58100	984	58200	477	
A40171	51907	939	58100	148	58200	72	
A40181	51907	1,419	58100	224	58200	109	
A43001	51907	79,122	58100	12,501	58200	6,053	
A60101	51907	181,399	58100	28,660	58200	13,877	
A62751	51907	8,705	58100	1,375	58200	665	
A62941	51907	2,736	58100	432	58200	209	
A64101	51907	2,048	58100	324	58200	157	
A65101	51907	1,216	58100	192	58200	93	
A67721	51907	22,530	58100	3,560	58200	1,724	
A73101	51907	2,736	58100	432	58200	209	
A75101	51907	423	58100	67	58200	32	
A80201	51907	4,240	58100	670	58200	324	
A99019	59300	66,254	59400	10,380	59500	0	
A60100	43610	69,420	44610	87,335			

Decrease the following Accounts by the respective Amounts

A19904      54000      585,746

Increase the following Accounts by the respective Amounts

Org Pay	Increase	Amount	Retirement	Amount	Security	Amount	
D99990	45031	66,254					
D50101	51907	2,402	58100	380	58200	184	
D50201	51907	3,207	58100	507	58200	245	
D51101	51907	43,951	58100	6,945	58200	3,362	
D51111	51907	4,108	58100	649	58200	314	

Increase the following Accounts by the respective Amounts

Org Pay	Increase	Amount	Retirement	Amount	Security	Amount
DM99990	45031	10,380				

DM51301	51907	8,408	58100	1,329	58200	643
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Increase the following Accounts by the respective Amounts

Org	Pay			Social		
	Increase	Amount	Retirement	Amount	Security	Amount
E60001	51907	212,887	58100	33,636	58200	16,286

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll call, adopted.

**RESOLUTION NO. 540-19: AUTHORIZATION TO CONTRACT FOR TAX MAPPING SERVICE AS A RESULT OF AN EMPLOYEE ILLNESS**

Mrs. Pagano presented the following:

WHEREAS, the Real Property Tax Department currently has a vacant position as a result of an employee illness, and

WHEREAS, that it is anticipated the vacancy could be several months; and

WHEREAS, the duties and tasks of the vacant position's staff member must continue to be completed during the staff member's absence; and

WHEREAS, the Real Property Tax department has \$3,000 in overtime budgeted in 2019; and

WHEREAS, the Real Property Tax Director has been in contact with a professional that would temporarily be available to assist the department in the absence of the staff member; and

WHEREAS, this professional would contract on a part-time, temporary, unbenefited basis for up to and including a 6-month period of time, at the 2019 hire rate of \$23.58; now, therefore, be it

RESOLVED that a temporary position of tax map technician at an hourly rate of \$23.58, for a period of time not to exceed 6 months, not to exceed 20 hours per week in total, is hereby created, upon the review and approval of the Human Resource Director.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Deming. Upon roll call, adopted.

**RESOLUTION NO. 541-19: AUTHORIZATION TO TRANSFER INFORMATION TECHNOLOGY COUNTY WIDE PHONE SYSTEM UPGRADE PROJECT APPROPRIATIONS FROM THE GENERAL FUND TO THE CAPITAL PROJECT FUND**

Mrs. Pagano presented the following:

WHEREAS, the IT Department had \$500,000 in funds in the 2019 budget dedicated to the county wide phone system upgrade in the IT Department equipment account as part of the 2019 Capital Projects; and

WHEREAS, there is \$331,170.02 remaining the information technology equipment account; and

WHEREAS, the project is still in progress and will be through 2020; and

WHEREAS, the IT Department has identified a need to transfer those funds to the Capital Project Fund to better manage the project; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized to make the following budget adjustments:

**A1680 Information Technology**  
 \$331,170.02 from .52000 Equipment & Other Capital

**A9950 Transfer to Capital Project Fund**  
 \$331,170.02 to .59706 Transfer to H Fund H1903

**Telephone System**  
 \$331,170.02 to .45031 Inter fund Transfers  
 \$331,170.02 to .52000 Equipment

and be it further

RESOLVED, that the County Treasurer is hereby authorized to transfer \$331,170.02 from

the General fund Information Technology Budget to the H Fund Capital Projects Fund.

Mr. Emmel moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll call, adopted.

**RESOLUTION NO. 542-19: AUTHORIZATION TO PURCHASE POINT TO POINT WIRELESS CONNECTION BETWEEN THE IT DATA CENTER IN 16 WILLIAM STREET AND THE IT DATA CENTER IN THE PUBLIC SAFETY CAMPUS ON 7376 RT. 31**

Mrs. Pagano presented the following:

WHEREAS, the current wired connection between the IT data center at 16 William Street and the IT data center at the public safety campus on 7376 Rt. 31 is a single point of failure; and

and WHEREAS, there are critical services that connect between the locations including email, financial and operation software; and

WHEREAS, pursuant to Resolution No. 435-19, the County's Emergency Management Department is currently involved in a project to install a wireless network connecting all towers with Saia Communications Inc.; and

WHEREAS, there is an opportunity to amend the contract to purchase additional equipment and services to provide a wireless connection between 16 William Street and 7376 Rt. 31; and

WHEREAS, pricing for materials, labor and FCC licensing is offered through contract #DIR-TSO-3695 from the Texas Department of Information Resources, with which Wayne County has an Interstate Cooperation contract; and

WHEREAS, IT Director believes it is advantageous to the County to have this wireless connection for backup connectivity in the event there is a failure of the hard-wired connection; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract amendment on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Saia Communications Inc. for additional equipment and services in the amount of \$17,171.00, bringing the total contract amount not to exceed \$115,383.80.

Mr. Deming moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

**RESOLUTION NO. 543-19: AUTHORIZATION TO RESCIND RESOLUTION NO. 594-03 AND RESUME COLLECTION OF SALES AND COMPENSATING USE TAXES FOR RECEIPTS FROM RETAIL SALES OF AND CONSIDERATION GIVEN OR CONTRACTED TO BE GIVEN FOR CERTAIN CLOTHING AND FOOTWEAR**

Mrs. Pagano presented the following:

WHEREAS, pursuant to resolution, the Wayne County Board of Supervisors adopted Resolution No. 594-03 that exempted the sales and compensation use taxes for receipts from retail sales of, and consideration given, or contracted to be given, certain clothing and footwear in Wayne County, as outlined in Publication 718-C of the New York State Department of Taxation and Finance; and

WHEREAS, Wayne County is one of 8 counties and the City of New York in New York State that currently exempt the collection of county sales tax on clothing and footwear; and

WHEREAS, due to continued financial burdens placed on counties by New York State mandates, Wayne County must develop additional revenue sources to provided necessary services to the citizens of the County; and

WHEREAS, the discontinuance of said exemption will generate approximately \$500,000 in additional annual sales tax revenue to the County and approximately \$100,000 in additional sales tax revenue to the towns and villages in the County; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby rescinds Resolution No. 594-03 and resumes the collection of sales and compensating uses taxes for receipts from

retail sales of and consideration given or contracted to be given for certain clothing and footwear effective March 1, 2020; and be it further

RESOLVED, that the Clerk of the Wayne County Board of Supervisors shall make notification of such to the New York State Department of Taxation and Finance by certified mail, before December 1, 2019.

Mr. Verno moved the adoption of the resolution. Seconded by Mr. Kolczynski.

Mr. Spickerman addressed the Board that he would not support this, noting that we put this in place to help families with financial challenges that they face. The Robin Hood theory is not good when we are taking from the poor and giving to the government.

Mr. Baldrige, concurring with Mr. Spickerman also opposes passing this resolution as it makes us less competitive with other counties for these purchases and it hurts the poor.

Mr. Groat commented that he will support this as it would be a good change for our county, where this revenue will be distributed equally back into our communities.

Upon roll call, all Supervisors voted Aye, except Supervisors Spickerman, Emmel, Deming, Robusto, Baldrige, Jacobs and Chatfield who voted Nay. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 544-19: AUTHORIZATION TO AMEND THE 2019 BUDGET FOR CORONER AUTOPSIES EXPENSES**

Mr. Verkey presented the following:

WHEREAS, certain services provided by medical and other professionals are required by the County Coroner; and

WHEREAS, the cost for those services will exceed the 2019 Adopted Budget; and

WHEREAS, that Wayne County is desirous in adjusting the County Coroner autopsies budget to allow for the payment of the costs that will exceed the 2019 Adopted Budget; and

WHEREAS, that Wayne County has a Contingency Budget for the purposes of funding unforeseen expenses that were not anticipated at the time that the Board of Supervisors Adopts the annual budget; now, therefore, be it

RESOLVED, that the Treasurer is authorized to make the following budget adjustment.

**A1990 Contingent Fund General**

(Appropriations)

\$30,000 from 54000 Contractual Expenses

**A1185 County Coroner**

(Appropriations)

\$30,000 to 54509 Autopsies

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Deming. Upon roll call, adopted.

Mr. Miller moved, seconded by Mr. Chatfield, that Resolution Nos. 545 through 551 be presented and approved by blocking under one motion. Motion Carried.

**RESOLUTION NO. 545-19: AUTHORIZATION TO SIGN AN AGREEMENT WITH THE CLYDE – SAVANNAH CENTRAL SCHOOL DISTRICT FOR A DEPUTY SHERIFF SCHOOL RESOURCE OFFICER**

Mr. Verkey presented the following:

WHEREAS, the Clyde – Savannah Central School District, hereinafter referred to as the District, is desirous in an agreement with the County of Wayne and Wayne County Sheriff to provide the District one (1) FTE Deputy Sheriff School Resource Officer (SRO), funded by the District, which shall include salary, fringe benefits, vehicle expenses, uniforms, training, administrative charge and other related expenses for 10 months of the school year; and

WHEREAS, the District is requesting an agreement with the County and Sheriff for such SRO commencing on January 1, 2020 through December 31, 2020, excluding July and August;

and

WHEREAS, such agreements shall contain a clause stating that if funding for the SRO position ceases the position shall be eliminated by attrition; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and Sheriff are hereby authorized to sign an agreement with the Clyde – Savannah Central School District for one (1) full-time Deputy Sheriff SRO, for the time period of January 1, 2020 through December 31, 2020, excluding July and August, at no cost to County taxpayers, upon review and approval of the County Attorney.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll call, adopted.

**RESOLUTION NO. 546-19: AUTHORIZATION TO SIGN AN AGREEMENT WITH THE SODUS CENTRAL SCHOOL DISTRICT FOR A DEPUTY SHERIFF SCHOOL RESOURCE OFFICER**

Mr. Verkey presented the following:

WHEREAS, the Sodus Central School District, hereinafter referred to as the District, is desirous in an agreement with the County of Wayne and Wayne County Sheriff to provide the District one (1) FTE Deputy Sheriff School Resource Officer (SRO), funded by the District, which shall include salary, fringe benefits, vehicle expenses, uniforms, training, administrative charge and other related expenses for 10 months of the school year; and

WHEREAS, the District is requesting an agreement with the County and Sheriff for such SRO commencing on January 1, 2020 through December 31, 2020, excluding July and August; and

WHEREAS, such agreements shall contain a clause stating that if funding for the SRO position ceases the position shall be eliminated by attrition; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and Sheriff are hereby authorized to sign an agreement with the Sodus Central School District for one (1) full-time Deputy Sheriff SRO, for the time period of January 1, 2020 through December 31, 2020, excluding

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll call, adopted.

**RESOLUTION NO. 547-19: AUTHORIZATION TO SIGN AN AGREEMENT WITH THE WILLIAMSON CENTRAL SCHOOL DISTRICT FOR A DEPUTY SHERIFF SCHOOL RESOURCE OFFICER**

Mr. Verkey presented the following:

WHEREAS, the Williamson Central School District, hereinafter referred to as the District, is desirous in an agreement with the County of Wayne and Wayne County Sheriff to provide the District one (1) FTE Deputy Sheriff School Resource Officer (SRO), funded by the District, which shall include salary, fringe benefits, vehicle expenses, uniforms, training, administrative charge and other related expenses for 10 months of the school year; and

WHEREAS, the District is requesting an agreement with the County and Sheriff for such SRO commencing on January 1, 2020 through December 31, 2020, excluding July and August; and

WHEREAS, such agreements shall contain a clause stating that if funding for the SRO position ceases the position shall be eliminated by attrition; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and Sheriff are hereby authorized to sign an agreement with the Williamson Central School District for one (1) full-time Deputy Sheriff SRO, for the time period of January 1, 2020 through December 31, 2020, excluding July and August, at no cost to County taxpayers, upon review and approval of the County Attorney.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll call, adopted.

**RESOLUTION NO. 548-19: AUTHORIZATION TO SIGN AN AGREEMENT WITH THE NEWARK CENTRAL SCHOOL DISTRICT FOR A DEPUTY SHERIFF SCHOOL RESOURCE OFFICER**

Mr. Verkey presented the following:

WHEREAS, the Newark Central School District, hereinafter referred to as the District, is desirous in an agreement with the County of Wayne and Wayne County Sheriff to provide the District one (1) FTE Deputy Sheriff School Resource Officer (SRO), funded by the District, which shall include salary, fringe benefits, vehicle expenses, uniforms, training, administrative charge and other related expenses for 10 months of the school year; and

WHEREAS, the District is requesting an agreement with the County and Sheriff for such SRO commencing on January 1, 2020 through December 31, 2020, excluding July and August; and

WHEREAS, such agreements shall contain a clause stating that if funding for the SRO position ceases the position shall be eliminated by attrition; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and Sheriff are hereby authorized to sign an agreement with the Newark Central School District for one (1) full-time Deputy Sheriff SRO, for the time period of January 1, 2020 through December 31, 2020, excluding July and August, at no cost to County taxpayers, upon review and approval of the County Attorney.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll call, adopted.

**RESOLUTION NO. 549-19: AUTHORIZATION TO SIGN AN AGREEMENT WITH THE LYONS CENTRAL SCHOOL DISTRICT FOR A DEPUTY SHERIFF SCHOOL RESOURCE OFFICER**

Mr. Verkey presented the following:

WHEREAS, the Lyons Central School District, hereinafter referred to as the District, is desirous in an agreement with the County of Wayne and Wayne County Sheriff to provide the District one (1) FTE Deputy Sheriff School Resource Officer (SRO), funded by the District, which shall include salary, fringe benefits, vehicle expenses, uniforms, training, administrative charge and other related expenses for 10 months of the school year; and

WHEREAS, the District is requesting an agreement with the County and Sheriff for such SRO commencing on January 1, 2020 through December 31, 2020, excluding July and August; and

WHEREAS, such agreements shall contain a clause stating that if funding for the SRO position ceases the position shall be eliminated by attrition; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and Sheriff are hereby authorized to sign an agreement with the Lyons Central School District for one (1) full-time Deputy Sheriff SRO, for the time period of January 1, 2020 through December 31, 2020, excluding July and August, at no cost to County taxpayers, upon review and approval of the County Attorney.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll call, adopted.

**RESOLUTION NO. 550-19: AUTHORIZATION TO SIGN AN AGREEMENT WITH THE RED CREEK CENTRAL SCHOOL DISTRICT FOR A DEPUTY SHERIFF SCHOOL RESOURCE OFFICER**

Mr. Verkey presented the following:

WHEREAS, the Red Creek Central School District, hereinafter referred to as the District, is desirous in an agreement with the County of Wayne and Wayne County Sheriff to provide the District one (1) FTE Deputy Sheriff School Resource Officer (SRO), funded by the District, which shall include salary, fringe benefits, vehicle expenses, uniforms, training, administrative charge and other related expenses for 10 months of the school year; and

WHEREAS, the District is requesting an agreement with the County and Sheriff for such SRO commencing on January 1, 2020 through December 31, 2020, excluding July and August; and

WHEREAS, such agreements shall contain a clause stating that if funding for the SRO position ceases the position shall be eliminated by attrition; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and Sheriff are hereby authorized to sign an agreement with the Red Creek Central School District for one (1) full-time Deputy Sheriff SRO, for the time period of January 1, 2020 through December 31, 2020, excluding July and August, at no cost to County taxpayers, upon review and approval of the County Attorney.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll call, adopted.

**RESOLUTION NO. 551-19: AUTHORIZATION TO SIGN AN AGREEMENT WITH THE NORTH ROSE-WOLCOTT CENTRAL SCHOOL DISTRICT FOR TWO DEPUTY SHERIFF SCHOOL RESOURCE OFFICERS**

Mr. Verkey presented the following:

WHEREAS, the North Rose – Wolcott Central School District, hereinafter referred to as the District, is desirous in an agreement with the County of Wayne and Wayne County Sheriff to provide the District two (2) FTE Deputy Sheriff School Resource Officers (SROs), funded by the District, which shall include salary, fringe benefits, vehicle expenses, uniforms, training, administrative charge and other related expenses for one 10 months SRO and one 12 month SRO of the school year; and

WHEREAS, the District is requesting an agreement with the County and Sheriff for such SROs commencing on January 1, 2020 through December 31, 2020, excluding July and August for one 10 month SRO and January 1, 2020 through December 31, 2020 for one 12 month SRO; and

WHEREAS, such agreements shall contain a clause stating that if funding for the SROs position ceases the position shall be eliminated by attrition; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors and Sheriff are hereby authorized to sign an agreement with the North Rose – Wolcott Central School District for SROs for the time period of January 1, 2020 through December 31, 2020, excluding July and August for one 10 month SRO and January 1, 2020 through December 31, 2020 for one 12 month SRO, at no cost to County taxpayers, upon review and approval of the County Attorney.

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll call, adopted.

**RESOLUTION NO. 552-19: AUTHORIZATION TO ABOLISH AND CREATE POSITIONS WITH WAYNE COUNTY ALS SERVICES**

Mr. Verkey presented the following:

WHEREAS, the Wayne County ALS Services adjunct provider program was originally established in an effort to allow Paramedics to serve their communities as County Paramedics at times when there were either no or few Wayne County ALS cars in service, essentially overnights; and

WHEREAS, participation in the program has been limited, due partially to the limited number of Paramedics available to serve locally, with Wayne County ALS also now operating 24 hours per day, and

WHEREAS, there are currently three vacant Adjunct ALS positions; and

WHEREAS, in the routine operation of Wayne County ALS, full time Paramedics cover day and night shifts Monday through Friday, and substitute or part time Paramedics work weekends, and during shift vacancies of the full time Paramedics; and

WHEREAS, coverage of open shifts by substitutes and part time ALS Technicians is essential, and it helps to avoid the use of full time Paramedics on an overtime basis to fill

vacancies; now, therefore, be it

RESOLVED, that three Adjunct ALS positions shall hereby be abolished, and three ALS Technician Sub positions shall be created within the A3644 ALS Services Division of Emergency Management.

Mrs. Pagano moved the adoption of the resolution. Seconded by Mr. Deming. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 553-19: AUTHORIZE TECHNICAL DECONTAMINATION AND HAZARD ASSESSMENT TEAM APPOINTMENT**

Mr. Verkey presented the following:

WHEREAS, the Technical Decontamination and Assessment Team was established pursuant to Resolution No. 490-06; and

WHEREAS, at this time it is necessary to add a member to the Team; now, therefore, be it

RESOLVED, that the following individual is hereby appointed to the Technical Decontamination and Assessment Team:

Patrick M. Colasanti - Ontario Fire Department

Mrs. Pagano moved the adoption of the resolution. Seconded by Mr. Deming. Upon roll call, adopted.

**RESOLUTION NO. 554-19: AUTHORIZATION TO RESCIND RESOLUTION NO. 366-18 AND ENTER INTO AN AGREEMENT WITH THE MONROE COUNTY PUBLIC SAFETY LABORATORY FOR 2018 SERVICES**

Mr. Verkey presented the following:

WHEREAS, the County of Monroe operates a regional crime laboratory (hereinafter referred to as "Laboratory") that provides forensic laboratory services to the Wayne County Sheriff's Office and the municipal police departments in the County of Wayne; and

WHEREAS, the current Agreement with the County of Monroe for such Laboratory services expired on December 31, 2017; and

WHEREAS, Resolution No. 366-18 adopted July 17, 2018 authorized the Chairman of the Board of Supervisors to sign an agreement with the County of Monroe for Public Safety Laboratory services provided to the Wayne County Sheriff's Office and municipal police departments in the County of Wayne for the time period of January 1, 2018 through December 31, 2018 for \$163,000; and

WHEREAS, the County of Monroe and the County of Wayne did not complete the execution of the agreement in 2018; and

WHEREAS, in October 2019, the County of Wayne was invoiced for \$163,713 by the County of Monroe for the Monroe County Public Safety Laboratory services used by the Wayne County Sheriff's Office and municipal police departments in the County of Wayne for the time period of January 1, 2018 through December 31, 2018; and

WHEREAS, the Sheriff is requesting Resolution No. 366-18 be rescinded, and that the County of Wayne complete the agreement with the County of Monroe for such Laboratory services provided to the Wayne County Sheriff's Office and municipal police departments in the County of Wayne for the time period of January 1, 2018 through December 31, 2018 for \$163,713; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby rescinds Resolution No. 366-18; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign an agreement with the County of Monroe for Public Safety Laboratory services provided to the Wayne County Sheriff's Office and municipal police departments in the County of Wayne for the time period of January 1, 2018 through December 31, 2018 for \$163,713, upon review and approval of the County Attorney.

Mr. Chatfield moved the adoption of the resolution. Seconded by Mr. Verno. Upon roll call, adopted.

**RESOLUTION NO. 555-19: AUTHORIZATION TO AMEND THE REGIONAL CRIME LABORATORY 2019 BUDGET**

Mr. Verkey presented the following:

WHEREAS, the Sheriff has received an invoice from the County of Monroe for \$163,713 for 2018 forensic laboratory expenses; and

WHEREAS, the 2018 budget included \$170,000 for Regional Crime Laboratory expenses; and

WHEREAS, the Sheriff did not receive an invoice from the County of Monroe of Public Safety for Crime Laboratory Services during 2018, so the \$170,000 available budget closed out to the General Fund Unassigned Fund Balance at the end of 2018; and

WHEREAS, the Sheriff is desirous in increasing the 2019 appropriations budget to enable paying the 2018 invoice from the County of Monroe for Crime Laboratory Services; now, therefore be it

RESOLVED, that the Wayne County Treasurer is authorized to transfer \$163,713 from the General Fund Unassigned Fund Balance; and be it further

RESOLVED, that the County Treasurer is authorized to make the following budget adjustment:

A3171 Regional Crime Laboratory

(Appropriations)

\$163,713 to 54000 Contractual Expenses

Mr. Chatfield moved the adoption of the resolution. Seconded by Mrs. Pagano. Upon roll call, adopted.

**RESOLUTION NO. 556-19: AUTHORIZATION TO ACCEPT EQUIPMENT FROM NEW YORK STATE DEPARTMENT OF HEALTH FOR THE OFFICE OF THE WAYNE COUNTY CORONER**

Mr. Verkey presented the following:

WHEREAS, Wayne County will continue to vigilantly fight the opioid epidemic to protect our resident's health and wellbeing; and

WHEREAS, one key in this fight is our County Coroner's ability to identify and track opioid related and other violent deaths; and

WHEREAS, providing our County Coroners with tools such tablets they can take in the field will assist our county in the opioid fight as this will help County Coroners collect more accurate data; and

WHEREAS, Wayne County has been awarded up to 2 tablets and 1 laptop equipped software through a New York State Department of Health lead program in conjunction with the Centers for Disease Control and Prevention (CDC) at no cost to our county; and

WHEREAS, the software include in the tablets will ease the burden of required Coroner reports for programs such as the NYS Department of Motor Vehicles Fatal Accident Reporting System (FARS), the NYSDOH National Violent Death Reporting System along with assisting in easily creating counts of specific types of deaths when requested; now, therefore, be it

RESOLVED, that the Wayne County Administrator is hereby authorized to accept one laptop and two tablets for Wayne County and provide them to the County Coroners in order to assist their vital work.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Verno. Upon roll call, adopted.

**RESOLUTION NO. 557-19: AUTHORIZATION TO AMEND COUNTY BUDGET FOR WAYNE COUNTY CENTRAL GARAGE**

Mr. Miller presented the following:

WHEREAS, the Central Garage has expended most of the 2019 budget amount for account numbers 54100- Supplies and Materials, .54180 - Tires, and .54400 – Contracted Services; and

WHEREAS, it is necessary to increase these accounts in order to perform the necessary repairs on vehicles owned by the County and other agencies that Central Garage services; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to transfer the following:

**A 1640-Central Garage:**

Increase .54100 – Supplies and Materials by \$10,000

Increase .54180 – Tires by \$5,000

Increase .54400 – Contracted Services by \$6,000

Increase .41272 – Central Garage Fees by \$21,000

Mrs. Pagano moved the adoption of the resolution. Seconded by Mr. Emmel. Upon roll call, adopted.

**RESOLUTION NO. 558-19: AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF THE FARMINGTON ROAD BRIDGE REHABILITATION PROJECT**

Mr. Miller presented the following:

WHEREAS, a Project for the rehabilitation of the Farmington Road bridge over Ganargua Creek, P.I.N. 4WA003 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Wayne desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$215,000.00 work for the project or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation (NYSDOT) pursuant to Agreement; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby approves the above-subject project; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the Treasurer of Wayne County to pay in the first instance 100% of the federal and non-federal share of the cost of Engineering work for the Project or portions thereof; and be it further

RESOLVED, that the sum of \$215,000 is hereby appropriated and made available to cover the cost of participation in the above phase of the project; and be it further

RESOLVED, that the County Treasurer is hereby authorized to create a D51122.52924 Farmington Road bridge project account, and, transfer \$10,750 from the D Fund Balance, and revise the budget as follows:

**D5112 – ROAD CONSTRUCTION:**

(Appropriations)

\$215,000 to .52924 Farmington Road

**D9999 – OTHER:**

(Revenue)

\$172,000 to .44511 Marchiselli Funds - Federal (80%)

\$32,250 to .43511 Marchiselli Funds State (15%)

and be it further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Wayne County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Superintendent of Public Works thereof; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Wayne with the New

York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Mr. Robusto moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

**RESOLUTION NO. 559-19: AUTHORIZATION TO CLOSE COMPLETED 2019 CONSTRUCTION PROJECTS AND AMEND THE PUBLIC WORKS DEPARTMENT 2019 BUDGET**

Mr. Miller presented the following:

WHEREAS, various Highway Construction and Bridge Projects have been completed in 2019 and final payments processed; and

WHEREAS, the balance in budgeted projects may be reallocated to other projects; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2019 budget as follows:

**D5112-ROAD CONSTRUCTION:**

\$31,815.60 from .52608 Quaker Road Project  
\$57,270.45 from .52622 Walworth Road Project  
\$24,892.64 to .52604 Fifth Road Project  
64,193.41 to .52601 Culvert Replacement Project  
and be it further

RESOLVED that the following highway construction projects within Account D51122 Road Construction having a zero balance, are hereby closed:

**D5112-ROAD CONSTRUCTION:**

.52608 Quaker Road Project  
.52622 Walworth Road Project  
.52604 Fifth Road Project

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll call, adopted.

**RESOLUTION NO. 560-19: AUTHORIZE COUNTY/TOWN CONTRACTS FOR SNOW AND ICE CONTROL ON WAYNE COUNTY HIGHWAYS**

Mr. Miller presented the following:

WHEREAS, as in previous years, Wayne County is proposing to enter into an agreement with the towns for snow and ice services for the period beginning on January 1, 2020 and ending on December 31, 2020; and

WHEREAS, the reimbursements will be based on actual time and material expended by each town and a per trip cost will be negotiated with each town based on their expenses and the application rates/ratios; and

WHEREAS, the towns will be required to keep a log of trips that will be submitted to the county for reimbursement on a monthly basis; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute County/Town contracts for snow and ice control on County Highways during 2020, subject to the County Attorney's approval as to form and content.

Mr. Spickerman moved the adoption of the resolution. Seconded by Mr. Emmel. Upon roll call, adopted.

**RESOLUTION NO. 561-19: AUTHORIZATION TO AMEND PUBLIC WORKS CONTRACT WITH THE GARLAND COMPANY FOR REPAIRS TO THE COURT HOUSE ROOF**

Mr. Miller presented the following:

WHEREAS, Resolution No. 504-19 approved an agreement with The Garland Company for repairs to the Court House Roof at 26 Church Street; and

WHEREAS, The Garland Company, through the U.S. Communities Purchasing Alliance Coop, will be utilizing a subcontractor to perform the majority of said work; and

WHEREAS, the County's standard agreement prohibits any subcontractor without board approval; now, therefore, be it

RESOLVED, the Wayne County Board of Supervisors hereby authorizes The Garland Company the use of a subcontractor on this project.

Mr. Chatfield moved the adoption of the resolution. Seconded by Mrs. Pagano. Upon roll call, adopted.

**RESOLUTION NO. 562-19: AUTHORIZATION TO ACCEPT FUNDS FOR THE PAVING OF THE SODUS POINT PARK PARKING LOT**

Mr. Miller presented the following:

WHEREAS, Wayne County has been awarded \$50,000 through the State and Municipal Facilities Program (SAM) for the paving of Sodus Point Park parking lot; and

WHEREAS, the Wayne Public Works department intends to oversee the project; now, therefore be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to accept funds from the Dormitory Authority of the New York State in an amount not to exceed \$ 50,000; and be it further

RESOLVED, that the Chairman of the Board of Supervisors shall be authorized to enter into and execute a project agreement with the State of New York for such financial assistance to Wayne County for the funds to perform the parking lot paving; and be it further

RESOLVED, that the Chairman is hereby directed and authorized to execute any required documentation or paperwork required in connection with the implementation of the project, subject to approval of the County Attorney as to form and content.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

**RESOLUTION NO. 563-19: AUTHORIZATION TO AWARD TERM CONTRACTS FOR ARCHITECTURAL, ENGINEERING AND TESTING SERVICES FOR VARIOUS COUNTY PROJECTS FOR FUTURE NEEDED SERVICES**

Mr. Miller presented the following:

WHEREAS, the Superintendent of Public Works issued a Request for Qualifications (RFQ) for General Architectural, Engineering and Testing Services for Term Agreements on projects within the Highway Department and the Buildings and Grounds Department; and

WHEREAS, 14 proposals were received in response to the RFQ; and

WHEREAS, several staff within the Public Works department conducted an extensive review of the proposals; and

WHEREAS, as a result of the evaluations, the Committee recommended term contracts be approved for Barton & Loguidice, C&S Companies, Labella Associates, Lu Engineers and Popli Design Group, to provide said services; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby accepts the recommendation of the Superintendent of Public Works; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute contracts on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content with the above listed firms for a three year

term starting December 1<sup>st</sup>, 2019 through November 30<sup>th</sup>, 2022; and be it further

RESOLVED, that the Wayne County Board of Supervisors hereby authorizes the Superintendent of Public Works to approve individual projects up to \$20,000 in cost and within the budgeted amount for said project; and be it further

RESOLVED, that any project over \$20,000 or not within the project budget amount must be approved by board resolution.

Mrs. Pagano moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll call, adopted.

**RESOLUTION NO. 564-19: AUTHORIZE PARTICIPATION IN AN APPLICATION TO THE EPA 2020 BROWNFIELD ASSESSMENT PROGRAM**

Mr. Spickerman presented the following:

WHEREAS, The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or the Superfund Law) was amended by the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Law) to include section 104(k), which provides federal financial assistance for brownfields revitalization, including grants for assessment, cleanup, and revolving loan funds; and

WHEREAS, Assessment Grants provide funding for developing inventories of brownfields, prioritizing sites, conducting community involvement activities, conducting site assessments, and developing cleanup plans and reuse plans related to brownfield sites; and

WHEREAS, The Federal Environmental Protection Agency (EPA) is now accepting applications to the 2020 Brownfield Assessment Grant Program; and

WHEREAS, Applicants may form a coalition to apply for up to \$600,000 in a combination of hazardous substances funding and petroleum funding; and

~~WHEREAS, the Wayne Economic Development Corporation (WEDC) is interested in pursuing funding to assess brownfield sites in communities in the County; and~~

WHEREAS, the WEDC is interested in forming a coalition including Wayne County to pursue funding to complete phase I and phase II studies at brownfield sites across the County, now, therefore, be it

~~RESOLVED, the Board of Supervisors authorizes the participation as a coalition member to the WEDC submission of a 2020 Brownfield Assessment Grant application requesting grant funding from the EPA; and be it further~~

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute any agreements or documents necessary to implement the resolution on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content.

Mr. Verno moved the adoption of the resolution. Seconded by Mr. Emmel.

Mr. Spickerman moved, seconded by Mrs. Pagano to amend the resolution as follows:

**“RESOLUTION NO. 564-19: AUTHORIZE PARTICIPATION IN AN APPLICATION TO THE EPA 2020 BROWNFIELD ASSESSMENT PROGRAM**

Mr. Spickerman presented the following:

WHEREAS, The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or the Superfund Law) was amended by the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Law) to include section 104(k), which provides federal financial assistance for brownfields revitalization, including grants for assessment, cleanup, and revolving loan funds; and

WHEREAS, Assessment Grants provide funding for developing inventories of brownfields, prioritizing sites, conducting community involvement activities, conducting site assessments, and developing cleanup plans and reuse plans related to brownfield sites; and

WHEREAS, The Federal Environmental Protection Agency (EPA) is now accepting applications to the 2020 Brownfield Assessment Grant Program; and

WHEREAS, Applicants may form a coalition to apply for up to \$600,000 in a

combination of hazardous substances funding and petroleum funding; and

WHEREAS, the WEDC is interested in forming a coalition including Wayne County to pursue funding to complete phase I and phase II studies at brownfield sites across the County, now, therefore, be it

RESOLVED, that the Board of Supervisors authorizes the Economic Development & Planning Department to prepare and submit a 2020 Brownfield Assessment Coalition Grant application requesting funding for \$600,000 from the EPA; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute any agreements or documents necessary to implement the resolution on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content."

Motion carried.

Upon roll call, adopted.

**RESOLUTION NO. 565-19: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH BRIDGEPAY NETWORK SOLUTIONS, LLC FOR THE WAYNE COUNTY CLERK OFFICE**

Mrs. Crane presented the following:

WHEREAS, Wayne County has made the determination to offer an E Commerce option for online access to documents held by the office of the County Clerk; and

WHEREAS, an important component of E commerce is the online payment for such services; and

WHEREAS, the County Clerk's Digital Indexing Vendor, Tyler Technologies, has designated **Bridgepay Network Solutions, LLC** as their partner for cashiering services; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute a contract addendum for E Commerce cashiering on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with **Bridgepay Network Solutions, LLC** at a rate of .10 per credit card transaction; and

RESOLVED that said agreement shall commence on January 1, 2020 and run continuous until either party shall terminate such agreement.

Mr. Robusto moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll call, adopted.

**RESOLUTION NO. 566-19: AUTHORIZATION TO SET SUBSCRIPTION RATES FOR E COMMERCE ACCESS TO RECORDS OF THE COUNTY CLERK**

Mrs. Crane presented the following:

WHEREAS, Wayne County has made the determination to offer an E Commerce option for online access to documents held by the office of the County Clerk; and

WHEREAS, it is important to generate revenue to support the online access and operations of the Office of the County Clerk; and

WHEREAS, that the County Clerk has determined that charging a monthly online access subscription fee of thirty dollars (\$30) will generate adequate revenue to support the online access operations; and

WHEREAS, that the online access subscriptions will allow online access to legally available data images and information maintained by the Office of the County Clerk, and the ability to make unlimited copies; and, now therefore be it

RESOLVED, that a monthly subscription fee of thirty dollars (\$30) for online access to legally available data images and information maintained by the Office of the County Clerk is hereby established.

Mr. Chatfield moved the adoption of the resolution. Seconded by Mr. Miller. Upon roll call, adopted.

**RESOLUTION NO. 567-19: ADOPTION OF LOCAL LAW AMENDING THE LONGEVITY PAYMENT SCHEDULE FOR NON-ELECTED COUNTY OFFICERS AND MANAGERIAL AND**

**CONFIDENTIAL EMPLOYEES NOT SUBJECT TO COLLECTIVE BARGAINING AGREEMENTS**

Mrs. Crane presented the following:

WHEREAS, a proposed local law in relation to providing for changes in the longevity payment schedule for full-time, non-elected County Officers and employees not subject to collective bargaining agreements was presented to the Board of Supervisors on October 15, 2019; and

WHEREAS, a public hearing on the proposed local law was held on Tuesday, November 19, 2019 at 9:10 am in the Supervisor's Chambers in the County Court House, 26 Church Street, Lyons, New York, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore be it

RESOLVED, that said local law is hereby adopted to read as follows:

**COUNTY OF WAYNE - STATE OF NEW YORK  
LOCAL LAW NO. 6 FOR THE YEAR 2019**

A local law amending the longevity payment schedule for non-elected County Officers and employees not subject to collective bargaining agreements, as established by local law No. 7-1984 and amended by Local Law No. 1-1986, Local Law No. 5-1988, Local Law No. 5-1993, Local Law No. 1-1994, Local Law No. 3-1994, Local Law No. 4-1995, Local Law No. 1-1998, Local Law No. 3-1998, Local Law No. 3-2001 and Local Law No. 5-2014.

**BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE**, as follows:

**SECTION 1.**

Section 1 of Local law No. 7-1984 entitled "A Local law Establishing Longevity Payment Schedule for Non-Elected County Officers and Employees not Subject to Collective Bargaining Agreements", as amended by Local Law No. 1-1986, Local Law No. 5-1988, Local Law No. 5-1993, Local Law No. 1-1994, Local Law No. 3-1994; Local Law No. 4-1995, Local Law No. 1-1998, Local Law No. 3-1998, Local Law No. 3-2001 and 4-2014 is hereby amended to read as follows:

**"Section 1.**

- (a) Except as provided in subdivision (b) of Local Law No. 3-1998 as amended, effective from and after January 1, 2020 and continuing annually thereafter, all full-time, non-elected County officers and employees not subject to collective bargaining agreements shall receive, in addition to adopted salary, longevity payments upon completion of 5, 7, 10, 13, 16, 20, 25 and 30 years of full-time continuous service with the County in accordance with the following schedule:

**2020**

After 5 years	\$ 425
After 7 years	\$ 625
After 10 years	\$1,075
After 13 years	\$1,500
After 16 years	\$1,750
After 20 years	\$2,250
After 25 years	\$3,000
After 30 years	\$5,000

- (b) Effective from and after July 1, 1998, and continuing annually thereafter, the Undersheriff and Chief Deputy of the Wayne County Sheriff's Office shall receive in addition to adopted salary schedules, longevity payments upon completion of 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23 years of full-time continuous service with Wayne County in accordance with the following schedule:
- |               |                      |
|---------------|----------------------|
| After 5 years | 1% of adopted salary |
|---------------|----------------------|

After 6 years	1.5% of adopted salary
After 7 years	2% of adopted salary
After 8 years	2.5% of adopted salary
After 9 years	3% of adopted salary
After 10 years	3.5% of adopted salary
After 11 years	4% of adopted salary
After 12 years	4.5% of adopted salary
After 13 years	5% of adopted salary
After 14 years	5.5% of adopted salary
After 15 years	6% of adopted salary
After 16 years	6.5% of adopted salary
After 17 years	7% of adopted salary
After 18 years	7.5% of adopted salary
After 19 years	8% of adopted salary
After 20 years	8.5% of adopted salary
After 21 years	9% of adopted salary
After 22 years	9.5% of adopted salary
After 23 years	10% of adopted salary."

**SECTION 2.**

This local law is adopted subject to a permissive referendum, and the Clerk of the Board of Supervisors shall give public notice thereof in the manner provided by law.

**SECTION 3.**

This amended local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2020.

Mrs. Pagano moved the adoption of the resolution. Seconded by Mr. Spickerman. Upon roll call, adopted.

**RESOLUTION NO. 568-19: ADOPTION OF LOCAL LAW PROVIDING FOR CHANGES IN SALARIES OF CERTAIN COUNTY OFFICERS DURING THEIR TERM OF OFFICE (2020)**

Mrs. Crane presented the following:

WHEREAS, a proposed local law in relation to providing for changes in the salaries of certain County officers during their term of office was presented to the Board of Supervisors on October 15, 2019; and

WHEREAS, a public hearing on the proposed local law was held on **Tuesday, November 19, 2019 at 9:15 am** in the Supervisor's Chambers in the County Court House, 26 Church Street, Lyons, New York, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

RESOLVED, that said local law is hereby adopted to read as follows:

**COUNTY OF WAYNE - STATE OF NEW YORK  
LOCAL LAW NO. 7 FOR THE YEAR 2019**

A Local Law providing for changes in the salaries of certain County Officers during their term of office.

**BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE**, as follows:

**SECTION 1.** The annual salary of the County Clerk shall be \$90,995 effective January 1, 2020

**SECTION 2.** The annual salary of the County Treasurer shall be \$86,310 effective January 1, 2020

**SECTION 3.** The annual salary of the Sheriff shall be \$120,911 effective January 1, 2020

**SECTION 4.** The annual salary of the District Attorney shall be \$200,400 effective January

- 1, 2020
- SECTION 5. The annual salary of the Public Defender shall be \$107,568 effective January 1, 2020
- SECTION 6. The annual salary of the County Administrator shall be \$129,292 effective January 1, 2020
- SECTION 7. The annual salary of the Director of Real Property Tax Services shall be \$74,947 effective January 1, 2020
- SECTION 8. The annual salary of the Human Resource Director shall be ~~\$79,295~~ effective January 1, 2020
- SECTION 9. The annual salary of the County Attorney shall be \$119,197 effective January 1, 2020
- SECTION 10. The annual salary of the Election Commissioner shall be \$13,661 effective January 1, 2020
- SECTION 11. The annual salary of the Election Commissioner shall be \$13,661 effective January 1, 2020
- SECTION 12. The annual salary of the Commissioner of Social Services shall be \$101,975 effective January 1, 2020
- SECTION 13. The annual salary of the Superintendent of Public Works shall be \$111,069 effective January 1, 2020
- SECTION 14. The annual salary of the County Auditor shall be ~~\$63,213~~ effective January 1, 2020.
- SECTION 15. An incumbent holding a position subject to the provisions of Sections 1 through 12 of this local law at the time during the period from the effective date of the salary increase for such position until the time when basic annual salaries are first paid pursuant to this local law for such services in excess of the compensation actually received therefore, shall be entitled to a lump sum payment for the difference between the salary to which such incumbent was entitled for such service and the compensation actually received therefore. Such lump-sum payment shall be made as soon as practicable after this local law becomes effective.
- SECTION 16. If any clause, sentence, paragraph, part or provision of this local law shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its effect and operation to the clause, sentence, paragraph, part or provision thereof directly involved in the controversy in which such judgment is rendered.
- SECTION 17. This local law is adopted subject to a permissive referendum, and the Clerk of the Board of Supervisors shall give public notice thereof, in the manner provided by law.
- SECTION 18. This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2020.

Mrs. Pagano moved the adoption of the resolution. Seconded by Mr. Kolczynski.

Mrs. Crane moved, seconded by Mr. Miller to amend the salaries in SECTIONS 8 and SECTIONS 14, as follows:

- 'SECTION 8. The annual salary of the Human Resource Director shall be **\$91,049** effective January 1, 2020
- SECTION 14. The annual salary of the County Auditor shall be **\$66,194** effective January 1, 2020.'

Upon roll call for the amendment, all Supervisors voted Aye. The Chairman declared the amended resolution adopted.

**RESOLUTION NO. 569-19: AUTHORIZATION TO EXECUTE AGREEMENT TO ACCEPT STATE THE NEW YORK MASTER CONTRACT FOR GRANTS, CONTRACT #BOE01 - C004124-1110000 CONCERNING EARLY VOTING IN WAYNE COUNTY**

Mrs. Crane presented the following:

WHEREAS, as part of the State Fiscal Year 2019/20 budget, the State Legislature appropriated funds for Aid-to-Localities for an Early Voting Local Assistance Grant to reimburse County Board of Elections for costs related to the implementation of early voting; and

WHEREAS, the County of Wayne Board of Elections has been notified that it will be receiving an additional Grant associated with the implementation of Early Voting in Wayne County from April 12, 2019 through December 31, 2020; and

WHEREAS, the Wayne County Board of Elections desires to use the grant appropriations to meet the requirements of Early Voting in Wayne County; and

WHEREAS, the document is in need of immediate signature; now, therefore, be it

RESOLVED, Richard House, County Administrator, is hereby authorized to sign on behalf of Wayne County, accepting the New York State Master Contract for Grant, upon review and approval of the County Attorney.

Mrs. Pagano moved the adoption of the resolution. Seconded by Mr. Kolczynski. Upon roll call, adopted.

**RESOLUTION NO. 570-19: AUTHORIZATION TO ACCEPT PROPOSAL AND EXECUTE CONTRACT FOR WORKERS' COMPENSATION AND DISABILITY SELF-INSURANCE THIRD PARTY ADMINISTRATOR**

Mrs. Crane presented the following:

WHEREAS, the County's Purchasing Policy requires that a Request for Proposals (RFP) be issued for County expenditures totaling more than \$20,000 in a calendar year; and

WHEREAS, the County issued an RFP for the service of Workers' Compensation and Disability Self-Insurance Third Party Administrator (TPA) and received responses from four companies: FutureComp, NCAComp, Triad Group, and UMR; and

WHEREAS, the following prices were proposed for services:

<b>TPA 2020</b>	<b>2021</b>	<b>2022</b>	<b>Total</b>	
FutureComp	\$125,670	\$125,670	\$125,670	\$377,010
NCAComp	\$119,242	\$122,519	\$125,895	\$367,656
Triad Group	\$99,000	\$99,000	\$102,000	\$300,000
UMR	\$98,333	\$118,000	\$118,000	\$334,333

WHEREAS, the Self-Insurance Specialist and the Purchasing Clerk evaluated the four proposals based on criteria including price, company and adjustor experience, transition model, and account staffing; and

WHEREAS, it is the recommendation of the evaluators to contract with NCAComp to provide TPA services for the County's Workers' Compensation and Disability programs for the three year period 2020-2022; now, therefore, be it

RESOLVED, that the proposal received from NCAComp is hereby accepted; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a contract with NCAComp for the County's Workers' Compensation and Disability programs for the three year period commencing January 1, 2020 through December 31, 2022, subject to the approval of the County Attorney.

Mr. Chatfield moved the adoption of the resolution. Seconded by Mrs. Pagano. Upon roll call, adopted.

**RESOLUTION NO. 571-19: AUTHORIZATION TO ADOPT THE WAYNE COUNTY NOTICE**

**OF RIGHT TO PRIVACY POLICY**

Mrs. Crane presented the following:

WHEREAS, pursuant to Resolution No. 60-14, the County of Wayne Board of Supervisors adopted the **Wayne County Notice of Right to Privacy** duly enacted on January 21, 2014; and

WHEREAS, it is critical that Wayne County adopt a Notice of Right to Privacy Policy as a privacy policy is internally focused telling employees what they may do with personal information while a privacy notice is externally facing telling customers, regulators, and other stakeholders what the organization does with personal information; and

WHEREAS, the Compliance Officer has recommended the adoption of the following policy:

**WAYNE COUNTY NOTICE OF RIGHT TO PRIVACY POLICY**

Your Information. Your Rights. Our Responsibilities

**THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.**

Wayne County is required by law to maintain the privacy of your medical information and to give you this notice of legal duties and privacy practices with respect to medical information about you. This notice may be revised at any time. Any revisions will be effective for past, present or future medical information we have about you. We are required to follow the terms of the most current notice and will post it in all sites where physical services are delivered. The County website will also include the most updated notice. You will be able to request a copy. In addition, each time you begin services or are admitted to our Agency, you will receive a copy of the notice. 164.520 (b) (1) (v) (A-C)

**The Health Insurance Portability and Accountability Act (HIPAA) Privacy rule DOES NOT CHANGE the way you get services, or the privacy rights you have always had under federal and state laws. The Privacy rule adds some details about how you can exercise your rights.**

**ALL EMPLOYED, CONTRACT STAFF AND VOLUNTEERS WILL FOLLOW THIS NOTICE**

**What Information is Protected:**

All information that we create or keep that relates to your health or care and treatment, including but not limited to your name, address, birth date, social security number, your medical information, your service or treatment plan, and other information (including photographs or other images) about your care in our programs, is considered protected information. In this Notice, we refer to protected information as protected health information or "PHI". We create and collect information about you and we keep a record of the care and services you receive through this agency. The information about you is kept in a record; it may be in the form of paper documents in a chart or on a computer. We refer to the information that we create, collect, and keep as a "record" in this Notice.

**YOUR RIGHTS**

**When it comes to your health information, you have certain rights. This section explains your rights and some of our responsibilities to help you.**

**Inspect and copy** medical information (usually medical and billing records) that may be used to make decisions about your care. Requests for inspection and copying must be in writing to

the attention of the Privacy Official. A fee of 75 cents per page may be charged for the cost of copying, mailing or other supplies associated with your request. We may deny your request to inspect and copy in certain limited circumstances. A denial will be issued in writing with instructions on how to request a review of the denial. You may request copies in paper format or in an electronic form such as a CD, portable device, or memory stick.

**Request an amendment** if you feel that medical information we have about you is incorrect or incomplete. You have the right to request an amendment for as long as the information is kept by or for the Department. The written request must be submitted to Privacy Official/designee with a reason that supports your request. Your request for an amendment may be denied. You will receive the denial in writing with an explanation and instructions on how to appeal the denial decision.

**Limit what we use or share.** You can ask us not to use or share certain health information for treatment, payment or our operations. We are not required to agree to your request, and we may say “no” if it would affect your care. If we do agree, we will comply with your request unless the information is needed to provide you emergency treatment. A request for restrictions must be made in writing to the Director and must specify the information to be restricted, if restriction is for use and/or disclosure, and who the restriction applies to.

**Limit disclosures** to insurers if you have paid for the service completely out of pocket. If you pay for a service or health care item out-of-pocket in full, you can ask us not to share that information for the purpose of payment or our operations with your health insurer. We will say “yes” unless a law requires us to share that information.

**Request confidential communications-**You have the right to request that we communicate with you about medical matters in a certain way or at a certain location. Written requests must be submitted to the Privacy Official/designee. We will not ask you the reason for your request. We will accommodate all reasonable requests. Your request must specify how or where you wish to be contacted.

**Get a list of those with whom we’ve share information with** for reasons other than treatment, payment or health care operations. Requests must be in writing to the Privacy Official/designee and state a time period which may not be longer than six years or include dates prior to April 14, 2003. The list will be a paper copy and the first list you request within a 12 month period will be free. Additional lists may incur a cost. You will be notified of the amount involved to give you the opportunity to withdraw or modify your request before any costs are incurred.

**Choose someone to act for you.** If you have given someone medical power of attorney or is someone is your legal guardian, that person can exercise your rights and make choices about your health information. We will make sure the person has this authority and can act for you before we take any action.

**File a complaint if you feel your rights are violated.** If you believe that your HIPAA privacy rights have been violated, you have the right to complain without fear of reprisal or retaliation. Complaints can be made to the Compliance Officer/designee (see below). Written complaints can also be made directly to the Office of Civil Rights. The Privacy Officer/designee will provide you with the appropriate address upon request.

Privacy Officer for Wayne County Departments

Public Health	Mental Health	Nursing Home	All other departments
Diane Devlin	Jim Haitz	Alice Early	Ed Hunt
1519 Nye Road	1519 Nye Road	1529 Nye Road	1519 Nye Road

Suite 200  
Lyons, NY 14489  
315-946-5673

Suite 110  
Lyons, NY 14489  
315-946-5722

Lyons, NY 14489  
315-946-4707

Suite 110  
Lyons, NY 14489  
315-946-5722

Or, you may contact the Director of Office for Civil Rights, U.S. Department of Health and Human Services, 200 Independence Avenue, S.W., Room 509F HHH Bldg., Washington, D.C. 20201, and Secretary of the Department of Health and Human Services. You may call them at (877) 696-6775 or write to them at 200 Independence Ave. S.W., HHH Building Room 509H, Washington DC, 20201.

You may file a grievance with the Office of Civil Rights by calling or writing Region II – US Department of Health and Human Services, Jacob Javits Federal Building, 26 Federal Plaza, Suite 3312, New York, New York 10278, Voice Phone (800) 368-1019, FAX (212) 264-3039, TDD (800) 537-7697.

All complaints must be submitted in writing. **You will not be penalized for filing a complaint.**

### **YOUR CHOICES**

**For certain health information, you can tell us your choices about what we share. If you have a clear preference for how we share your information in the situations described below, talk to us. Tell us what you want us to do, and we will follow your instructions.**

In these cases, you have both the right and choice to tell us to:

Share information with **family members and personal representatives** who are involved in your care if the information is relevant to their involvement and to notify them of your condition and location.

Share information with **disaster relief organizations** that need to notify your family about your condition and location should a disaster occur. Contact you for fundraising purposes. We may disclose information to a charitable program that assists us in fundraising with your permission. You have the right to refuse or opt out if you previously agreed to communications regarding fundraising.

**Note:** If you cannot give permission due to an emergency, the Agency may release information in your best interest. We must tell you as soon possible after releasing the information.

In these cases we never share your information unless you give us written permission: For **marketing** of health- related services, we will not use your health information for marketing communications without your permission.

Sale of your information.

Most uses and disclosures of **psychotherapy** notes.

### **Our Uses and Disclosures**

**How do we typically use or share your health information? We typically use or share health information in the following ways.**

**For Treatment:** To your doctor and for referrals, appointment reminders and coordination with programs that may be involved in your care such as friend or family member, labs, pharmacy, medical equipment provider, or meals on wheels.

**For Payment:** To the insurance company. Copies of notes related to treatment and services you received may be required to accompany the bill.

**For Health Care Operations:** To run the Department and to assess patient care such as reviewing our treatment and services and to evaluate the performance of staff in caring for you.

**How else can we use or share your health information?** We are allowed or required to share your information in other ways – usually in ways that contribute to the public good, such as public health and research. We have to meet many conditions in the law before we can share your information for these purposes.

**Help with public health and safety issues.** We can share health information about you for certain situations such as: preventing disease, helping with product recalls, reporting adverse reactions to medications, reporting suspected abuse, neglect or domestic violence and preventing or reducing a serious threat to anyone's health or safety.

**Do Research,** if reviewed by an Independent Review Board

**Comply with the law.** We will share information about you if state or federal laws require it, including with the Department of Health and Human Services if it wants to see that we are complying with federal privacy law.

**Response to Organ and Tissue Donation Requests.** We can share health information about you with organ procurement organizations.

**Work with Coroners, Medical Examiners and Funeral Directors.** For identification purposes, to determine cause of death or as necessary to carry out their duties.

**Health Oversight Activities** – including audits, investigations, inspections, and licensure activities as required by State or Federal Mandate.

**To prevent or lessen a serious and imminent threat** to your health and safety or someone else's.

**Military and Veterans** - As required by military command authorities.

**Workers compensation-** as required to comply with laws relating to workers compensation.

To **correctional institutions** or **law enforcement officials** if you are an inmate and the information is necessary to provide you with health care, protect your health and safety or that of others, or for the safety of the correctional institution.

To **governmental agencies that administer public benefits** if necessary to coordinate the covered functions of the programs.

**Respond to lawsuits and legal actions.** We can share health information about you in response to a court or administrative order, or in response to a subpoena.

**NOTE:** Other regulations may restrict access to HIV/AIDS information, federally protected education records, and federally protected drug and alcohol information. Special authorizations or consent forms that will specify what information may be released and when are required.

For all other types of uses and disclosures not described in this Notice, the Agency will use or disclose information only with a written authorization signed by you that states:

- Who may receive the information
- What information is to be shared
- The purpose of the use or disclosure
- An expiration for the authorization

Written authorizations are always required for the sale of PHI and use and disclosure for marketing purposes, such as agency newsletters and press releases.

### **OUR RESPONSIBILITIES**

We are required by law to maintain the privacy and security of your protected health information.

We will let you know promptly if a breach occurs that may have compromised the privacy or security of your information.

We must follow the duties and privacy practices described in this notice and give you a copy of it.

We will not use or share your information other than described here unless you can tell us we can in writing. If you tell us we can, you may change your mind at any time. Let us know in writing if you have changed your mind.

We may also disclose information to clinicians and other personnel for on-the-job training. We will share your health information with other Organization staff for the purposes of obtaining legal services from our attorneys, conducting fiscal audits, and for fraud and abuse detection and compliance through our Compliance Program. We may also disclose information to our business partners who need access to the information to perform administrative or professional services on our behalf.

### **Changes to this Notice:**

We can change the terms of this notice, and the changes will apply to all information we have about you. The new notice will be available upon request, in our office and on our website. In addition, we will offer you a copy of the revised notice at your next scheduled visit/encounter. (Res. No. 060-14)

now, therefore, be it

RESOLVED, the Wayne County Board of Supervisors hereby adopts the **Wayne County Notice of Right to Privacy Policy**; and that a copy of said policy shall be distributed to employees and also placed on the Wayne County webpage with a link to the document from the cover page.

Mrs. Pagano moved the adoption of the resolution. Seconded by Mr. Emmel. Upon roll call, adopted.

### **RESOLUTION NO. 572-19: AUTHORIZATION TO ENTER INTO A SHARED SERVICES AGREEMENT WITH SODUS CENTRAL SCHOOL DISTRICT FOR GRANT MANAGEMENT SERVICES**

Mrs. Crane presented the following:

WHEREAS, in 2017, New York State introduced the County-Wide Shared Services Initiative, (CWSSI) to provide a process whereby each county can work to develop, approve, and submit to the State a County-Wide Shared Services Property Tax Savings Plan (with new

shared services actions that, once implemented, achieve demonstrable taxpayer savings; and  
WHEREAS, the CWSSI has been extended through December 31, 2021, per the SFY19 Enacted Budget of Article 12-I of the General Municipal Law; and

WHEREAS, in 2017, Wayne County submitted and successfully implemented a CWSSI plan for digital storage of records, which involved the County and four townships; and

WHEREAS, in 2019, Wayne County must again complete and submit a CWSSI plan to the state for review and approval; and

WHEREAS, the County Administrator is desirous of implementing a CWSSI plan with the Sodus Central School District for the sharing of their Grant Management Coordinator services of Jay Roscup, under a contractual arrangement with an annual cost of \$25,000; and

WHEREAS, such CWSSI plan would eliminate the need for the County to add staff for grant management services; and

WHEREAS, said Grant Management Coordinator will provide the County with a greater ability to identify, submit proposals and receive grant funding for new and existing County programs, and

WHEREAS, said contractual expenses under such CWSSI plan would be eligible for reimbursement from the state; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign an agreement with Sodus Central School District for the sharing of their Grant Management Coordinator services of Jay Roscup, for the time period of January 1, 2020 through December 31, 2020 at a cost not to exceed \$25,000, upon review and approval of the County Attorney.

Mr. Verno moved the adoption of the resolution. Seconded by Mr. Deming. Upon roll call, adopted.

**RESOLUTION NO. 573-19: AUTHORIZATION TO ADOPT THE WAYNE COUNTY WHISTLEBLOWER PROVISION AND PROTECTIONS POLICY**

Mrs. Crane presented the following:

WHEREAS, pursuant to Resolution No. 96-10, the County of Wayne Board of Supervisors adopted the Wayne County Compliance Plan, duly enacted on January 27, 2010, further amended by Resolution No. 210-10 and 207-18; and

WHEREAS, the Wayne County Compliance Plan contains the Whistleblower Provisions and Protections as part of that document on pages 19, 20, 21 and 22; and

WHEREAS, the Compliance Officer has recommended the adoption of those provisions and protections as a separate and distinct Wayne County Whistleblower Policy, as outlined below:

**Wayne County  
WHISTLEBLOWER PROVISION  
AND PROTECTIONS POLICY**



**Whistleblower Provisions and Protections**

Wayne County will extend to its employees all protections afforded to them under the applicable State and Federal Whistleblower laws including the Federal False Claims Act, the New York State False Claims Act and the New York Civil Service Law. Private contractors may find protections

under the New York State Labor Law as well as the False Claims Acts.

#### **I. New York Civil Service Law**

It is the County's intent to encourage honesty in the conduct of business. Therefore, the County relies on its employees, contractors and vendors to guard against fraud, by confidently reporting all instances of fraud and suspected fraudulent activities to the employer. In the first instance, reports must be made to the reporter's Supervisor to take corrective action, or if unavailable, or involved, the report should be made to the Department Director, the Compliance Officer, or the County Administrator.

The New York State Civil Service Law prohibits the County from dismissing or taking other disciplinary or other adverse personnel action against a public employee who reports fraud, wrongdoing or violations of the law, to Wayne County or to another government body. These protections apply to disciplinary proceedings, arbitration and collective bargaining agreements where the adverse action taken by the employer is based solely on retaliation for whistleblower conduct.

Where the employee who has been the subject of a retaliatory personnel action is not subject to a final and binding arbitration decision, the employee may bring a civil action in court and the court may order reinstatement of the employee to the same or an equivalent position, the reinstatement of full fringe benefits and seniority rights and compensation for lost wages, benefits and other remuneration including court costs and attorney fees.

#### **II. State and Federal False Claims Act**

Where an employee reports false, fraudulent or suspected fraudulent acts in regard to financial transactions including claims, documents or contracts for money, goods or services related to federally or state funded financing, and where as a result of such report, said employee suffers dismissal, disciplinary, or other adverse personnel action, the Federal or State False Claims Acts may offer remedies.

Under the Federal False Claims Act any person may bring a qui tam civil action for a violation of the Federal False Claims Act on behalf of the federal government. Furthermore, an employee may bring a qui tam lawsuit in U. S. District Court if the employee has been discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment by his or employer because of lawful acts done by the employee in reporting a false claim to the employer or to a government body.

To obtain relief under the Federal False Claim Act the whistleblower must file a lawsuit called a "qui tam" suit in Federal District Court. If the qui tam suit is successful the whistleblower, known as a "qui tam relator" will be entitled to 15 - 30 % of the government's total recovery, which includes damages for false bills, tripled, plus civil penalties of from \$5,000 - \$10,000 per claim. For employees who have been the subject of an adverse personnel action, other relief available through successful litigation includes: reinstatement with the same seniority status, 2 times the amount of back pay, interest on the back pay and compensation for any special damages sustained including court costs and attorney fees.

\*To recover, the "qui tam relator" must have complied with complex statutory requirements. Merely providing information to a hotline will not entitle the relator to a recovery under the False Claims Act.

#### **III. New York State False Claims Act (NYSFCA):**

The NYSFCA also referred to as a Qui Tam Statute or whistleblower law allows a private individual (such as a County employee) to sue a person or company (including a fellow employee or employer in their individual capacity), if such person or company knowingly submits a false or

fraudulent claim to a state or local government (such as NY State or Wayne County). Such false or fraudulent financial claims include but are not limited to health care fraud in programs such as Medicaid.

Lawsuits under this statute are called qui tam suits, and those reporting fraud are called "qui tam relators". A relator in a successful lawsuit may recover between 15%-30% of the proceeds in the action or settlement of the action, depending who prosecutes the action. Employees who have been the subject of a retaliatory personnel action may also be entitled to reinstatement to their position, reinstatement of full fringe benefits and seniority rights, payment of 2 times back pay, plus interest and compensation for any special damages sustained including litigation costs and attorney fees.

Compliance Hotline:

315-946-7431

Compliance Email:

[compliance@co.wayne.ny.us](mailto:compliance@co.wayne.ny.us)

now therefore, be it

RESOLVED, the Wayne County Board of Supervisors hereby adopts the Wayne County Whistleblower Provision and Protections Policy as presented; and that a copy of said policy shall be distributed to employees and also placed on the Wayne County webpage with a link to the document from the cover page.

Mrs. Pagano moved the adoption of the resolution. Seconded by Mr. Emmel. Upon roll call, adopted.

**RESOLUTION NO. 574-19: AUTHORIZATION TO AMEND CONTRACT FOR SOCIAL WORK SERVICES AT THE WAYNE COUNTY NURSING HOME**

Mr. Baldrige presented the following:

WHEREAS, the agreement with Maria Gigliotti, a certified Social Worker, for the provision of social work services at Wayne County Nursing Home expires December 31, 2019; and

WHEREAS, the Wayne County Nursing Home would like to renew said contract for the provision of Social Work Consultant services effective January 1, 2020 to December 31, 2020 with the option to renew for two (2) additional one(1) year period at a fee of \$75 per hour (same rate as 2019); now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is authorized to renew the agreement with Maria Gigliotti, for the provision of Social Work Consultant services at the Wayne County Nursing Home effective January 1, 2020 to December 31, 2020 with the option to renew for two (2) additional one (1) year periods at a fee of \$75 per hour; subject to the County Attorney's approval as to form and content.

Mrs. Jacobs moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll call, adopted.

Mr. Baldrige stated that he would be withdrawing the following transmittal from the agenda today:

**6-2 Authorization to Purchase an App from OCV, LCC (The Public Health App)**

**RESOLUTION NO. 575-19: AUTHORIZATION TO SIGN MINIBARRX PROGRAM CONSIGNMENT AGREEMENT WITH FFF ENTERPRISES, INC. FOR WAYNE COUNTY PUBLIC HEALTH**

Mr. Baldrige presented the following:

WHEREAS, Wayne County Public Health (WCPH) currently provides private stock immunizations to adults via an appointment; and

WHEREAS, some immunizations are wasted due to expiring before use, thus being a total cost to the county; and

WHEREAS, the cost of vaccine wastage for 2018 and 2019 (January to October), totals \$9,365; and

WHEREAS, WCPH wishes to use the MinibarRx Vaccine Consignment Program by using the MinibarRx inventory control system comprised of a refrigeration unit, materials and documentation, and software to dispense consigned vaccines as needed; and

WHEREAS, WCPH will only be charged vaccine when it is dispensed and will not be charged for any expired vaccine returned to FFF Enterprises, Inc.; and

WHEREAS, the MinibarRx cabinet is free, but has a total cost of a one-time \$1,000 shipping and installation fee, and

WHEREAS, the Director of Public Health is desirous in entering into a contract with FFF Enterprises, Inc for the free use of the MinibarRx cabinet for the period of December 1, 2019 to November 30, 2022 and renewable for three additional one year periods; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the MinibarRx Program Consignment Agreement with FFF Enterprises, Inc for the period of December 1, 2019 to November 30, 2022 and thereafter be renewed each year for one (1) additional year, for a total cost not to exceed \$1,000 for shipping and installation.

Mrs. Jacobs moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

**RESOLUTION NO. 576-19: AUTHORIZATION TO AMEND THE 2019 BUDGET FOR PUBLIC HEALTH**

Mr. Baldrige presented the following:

WHEREAS, Wayne County Public Health (WCPH) is required by the NYSDOH to perform Rabies prevention and control activities; and

WHEREAS, such activities include investigating rabies exposure cases, promoting rabies vaccination for pets and domestic livestock, the provision of free rabies vaccination clinics and to pay for any out of pocket rabies post exposure expenses for individuals receiving post exposure treatment; and

WHEREAS, recently, WCPH has had two animals test positive for Rabies that had several individuals in contact with the infected animals thus requiring all to receive post exposure prophylaxis; and

WHEREAS, all of the individuals receiving post exposure prophylaxis are uninsured, thus making the expense for the prophylaxis a total county cost; and

WHEREAS, the WCPH Rabies Coordinator and Finance Team have worked diligently with the medical providers of the prophylaxis to reduce the financial expense to the county; and

WHEREAS, the WCPH Finance Team has identified that both Rabies exposure cases has a total county cost of \$135,935.72; and

WHEREAS, the Rabies budget line has run into the negative and will require funds from the General Fund Unassigned Fund Balance to cover these expenses; now, therefore, be it

RESOLVED, that the Wayne County Treasurer is authorized to transfer \$135,935.72 from the General Fund Unassigned Fund Balance; and be it further

RESOLVED, that the County Treasurer is authorized to make the following budget adjustment:

A4011 Public Health Service

(Appropriations)

\$135,935.72 to 54590 Rabies Control

Mrs. Crane moved the adoption of the resolution. Seconded by Mrs. Jacobs. Upon roll call, adopted.

**RESOLUTION NO. 577-19: AUTHORIZATION TO ABOLISH A RECEPTIONIST POSITION AND CREATE A CLERK/TYPIST POSITION AT WAYNE COUNTY PUBLIC HEALTH**

Mr. Baldrige presented the following:

WHEREAS, the current clerical and typing needs of Wayne County Public Health (WCPH) has increased; and

WHEREAS, the current receptionist at Wayne County Public Health (WCPH) is performing clerk/typist duties more so than the employees current title of receptionist; and

WHEREAS, the receptionist and clerk/typist titles are currently at the same civil service grade 8; and

WHEREAS, the current employee who holds the receptionist title is currently on the clerk/typist list, in the top three; now, therefore, be it

RESOLVED, the Director of Public Health is authorized to abolish the receptionist position and create a clerk/typist position and fill position with current employee who is in the top three of the clerk/typist list at no additional county cost.

Mr. Groat moved the adoption of the resolution. Seconded by Mr. Verkey. Upon roll call, all Supervisors voted Aye. The Chairman declared the Resolution adopted.

**RESOLUTION NO. 578-19: AUTHORIZATION TO ESTABLISH CONTRACT BETWEEN WAYNE BEHAVIORAL HEALTH NETWORK AND UNITED BEHAVIORAL HEALTH INSURANCE**

Mr. Baldrige presented the following:

WHEREAS, Wayne Behavioral Health Network (WBHN) and United Behavioral Health (UBH) wish to establish a formal relationship and contractual agreement in order for WBHN to provide reimbursable behavioral health and related support services to persons covered by such plans; and

WHEREAS, UBH requires WBHN to have a contract established with them in order to bill and receive payments from Medicaid and Medicaid Managed Care insurances for services provided as a network provider; now, therefore, be it

RESOLVED that the Chairman of the Board of Supervisors, pending approval of the County Attorney as to form and content, is authorized to sign a contractual agreement between United Behavioral Health & WBHN effective upon obtaining signatures of all required parties and UBH's acceptance & approval of WBHN to their network panel and continuing through December 31, 2021.

Mr. Chatfield moved the adoption of the resolution. Seconded by Mrs. Pagano. Upon roll call, adopted.

**RESOLUTION NO. 579-19: AUTHORIZATION TO CONTRACT WITH SELF DIRECT INC. FOR THE PROVISION OF PERSONAL RESPONSE UNITS FOR THE YEAR 2020 FOR THE WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH**

Mr. Verno presented the following:

WHEREAS, The Department of Aging and Youth provides Personal Emergency Response (PERS) Units for frail eligible seniors as a health and safety prevention measure; and

WHEREAS, the PERS program was awarded to Self-Direct Inc. through a bid process for the provision of Personal Emergency Response units and monitoring services at the rate of \$17.50 per unit per month, but pricing was not submitted for the year 2020; and

WHEREAS, Self- Direct Inc. has provided the Department of Aging and Youth a written statement verifying no change in the contractual terms and rate for 2020; and

WHEREAS, a new bid for the provision of PERS services will be initiated for the term of January 1, 2021 through December 31, 2023; now, therefore, be it

RESOLVED. that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract with Self-Direct, Inc. from January 1, 2020 through December 31, 2020 on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, for the provision of 200 PERS units and monitoring services for the Wayne County Department of Aging and Youth in the amount of \$17.50 per unit, per client, per month.

Mrs. Jacobs moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll

call, adopted.

**RESOLUTION NO. 580-19: AUTHORIZATION TO APPOINT YOUTH BOARD MEMBER**

Mr. Verno presented the following:

WHEREAS, Julie DeRoo, Sodus Central Junior/Senior High School Psychologist representing the town of Sodus has agreed to serve on the Youth Advisory Board, therefore be it

RESOLVED, request authorization from the Chairman of the Board of Supervisors to appoint Julie DeRoo, to the Wayne County Youth Board for a term of one year.

Julie DeRoo  
Sodus Central School District  
PO Box 220  
Sodus, NY 14551

Mrs. Jacobs moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

**RESOLUTION NO. 581-19: AUTHORIZATION TO ACCEPT PROPOSAL AND EXECUTE A CONTRACT WITH LESLIE L. ELLIOTT, RDN, CDN DBA SMARTNUTRITION CONSULTING FOR THE PROVISION OF REGISTERED DIETITIAN SERVICES FOR THE WAYNE COUNTY DEPARTMENT OF AGING AND YOUTH**

Mr. Verno presented the following:

WHEREAS, the NY State Office for Aging requires local Area Agencies on Aging to provide registered dietitian services, in the amount of 16 hours per week, to create, analyze and certify that the meals served by our agency meet the 1/3 RDA compliance standards for both the home delivered meal and the congregate meal programs; and

WHEREAS, the Clerk of the Board of Supervisors has duly advertised a request for proposals from registered dietitians and the proposals were received and officially opened on Friday November 1, 2019 at 11:00 a.m.; and

WHEREAS, the awarded position will provide nutrition counseling, nutrition education, menu development and meal analysis for the contract period January 1, 2020- December 31, 2020, with the option to renew for two (2) additional one (1) year periods; and

WHEREAS, the following proposals were received:

<b>Wayne County Proposal Results for Registered Dietitian Services</b>	
Contractor	Smartnutrition Consulting
Cost per hour 2020	\$45.64
Cost per hour 2021	\$46.64
Cost per hour 2022	\$47.64

now, therefore be it

RESOLVED, that the proposal submitted by Leslie L. Elliott RDN, CDN dba Smartnutrition Consulting in accordance with the specifications, is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Smartnutrition Consulting in accordance with the proposal for the provision of registered dietitian services for the Wayne County Department of Aging and Youth in the amount of \$45.64 per hour, not to exceed the annual budgeted amount, for the contract period January 1, 2020 through December 31, 2020, with the option to sign contract renewals for years 2021 and 2022.

Mr. Robusto moved the adoption of the resolution. Seconded by Mrs. Crane. Upon roll call, adopted.

**RESOLUTION NO. 582-19: AUTHORIZE AGREEMENT WITH WAYNE COUNTY SHERIFF'S OFFICE FOR WELFARE FRAUD INVESTIGATION SERVICES FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, there is a need to pursue welfare fraud in a diligent manner; and

WHEREAS, it is estimated that the cost of doing so will be offset by cost avoidance; and

WHEREAS, the Wayne County Sheriff's Office is the agency best suited to pursue these investigations; and

WHEREAS, Wayne County Department of Social Services is desirous of entering into an Agreement for Welfare Fraud Investigation services; now, therefore, be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to enter into an Agreement with the Wayne County Sheriff's Office, subject to review by the County Attorney, for Welfare Fraud Investigation Services in an amount not to exceed \$200,000 for the timeframe 1/1/20-12/31/20.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Groat. Upon roll call, adopted.

**RESOLUTION NO. 583-19: AUTHORIZE AGREEMENT WITH PROBATION DEPARTMENT FOR PERSONS IN NEED OF SUPERVISION PROGRAM (PINS) FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, the placement costs for youth are increasing and community-based services are needed; and

WHEREAS, the PINS legislation has changed the relative roles and responsibilities of the Wayne County Probation Department as the lead agency for PINS; and

WHEREAS, the Wayne County Probation Department has developed an intensive school-based oversight and decision process; and

WHEREAS, this process is preventive in nature, designed to prevent placement of youth (individuals on probation/siblings and friends of those youth/school-identified at-risk youth) outside of their homes at significant county expense; now, therefore, be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to enter into an agreement, subject to the review of the County Attorney, for the provision of Probation Services for the timeframe 1/1/20-12/31/20 at a cost not to exceed \$386,368.

Mrs. Crane moved the adoption of the resolution. Seconded by Mrs. Pagano. Upon roll call, adopted.

**RESOLUTION NO. 584-19: AUTHORIZATION FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES & WAYNE COUNTY AGING & YOUTH TO ENTER INTO AN AGREEMENT FOR THE FAMILIES AND COMMUNITIES TOGETHER PROGRAM (FACT)**

Mr. Verno presented the following:

WHEREAS, the Wayne County Department of Social Services is requesting the Wayne County Department of Aging and Youth to provide contracted FACT intensive case management services for families; and

WHEREAS, Wayne County DSS will pay the Department of Aging and Youth \$50,000.00 for the provision of FACT services cited in the agreement; and

WHEREAS, the program year is January 1, 2020 through December 31, 2020; now, therefore, be it

RESOLVED, that the Commissioner of Social Services and the Director of Aging & Youth are hereby authorized and directed to sign an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, wherein the Wayne County Department of Social Services will purchase services from the Department of Aging & Youth in an amount not to exceed \$50,000.00 for the provision of FACT program services for the period of January 1, 2020 through December 31, 2020.

Mr. Chatfield moved the adoption of the resolution. Seconded by Mrs. Pagano. Upon roll call, adopted.

**RESOLUTION NO. 585-19: AUTHORIZE AGREEMENT WITH ONTARIO COUNTY FOR USE**

**OF NON-SECURE DETENTION FACILITY IN HOPEWELL FOR THE WAYNE COUNTY DEPARTMENT OF SOCIAL SERVICES**

Mr. Verno presented the following:

WHEREAS, Wayne County is required to have non-secure detention available as an alternative for placement of youth involved with either Persons in Need of Supervision (PINS) or Juvenile Delinquent (JD) court proceedings; and

WHEREAS, Wayne DSS desires to secure the most cost-effective site possible; and

WHEREAS, the Hopewell Facility is the most cost-effective site to secure these services; now, therefore, be it

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized to execute an agreement on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Ontario County for the provision of non-secure detention beds at its Hopewell Facility at a rate not to exceed \$325 per day per child plus a \$20 per child health assessment fee for the period 1/1/20 – 12/31/20.

Mrs. Crane moved the adoption of the resolution. Seconded by Mr. Chatfield. Upon roll call, adopted.

**RESOLUTION NO. 586-19: AUTHORIZE APPOINTMENT TO THE FINGER LAKES WORKFORCE INVESTMENT BOARD**

Mr. Verno presented the following:

WHEREAS, the Wayne County Board of Supervisors has authorized the creation of the Finger Lakes Workforce Development Board for the Counties of Wayne, Yates, Seneca, and Ontario in compliance with the Workforce Development Innovation and Opportunity Act of 2014 (replacing the 1998 WIA Act); and

WHEREAS, the Workforce Investment Board members must be appointed by the respective Legislative Boards; and

WHEREAS, Michele Fortune, who was previously appointed to the Finger Lakes Workforce Development Board, did not renew her three-year term and this position has been vacant since July, and her position on the WIB Board must be replaced; and

WHEREAS, the Executive Director has solicited nominations in accordance with the law and the following individual has been nominated for representation and appointment immediately to the WIB Board to fill the three-year term of Michele Fortune ending 6/30/22:

Kelly Davids Newark Manor Nursing Home Administrator

RESOLVED, that the above named individual is hereby appointed immediately to fill the three-year term of Michele Fortune ending 6/30/22 as defined above; and be it further

RESOLVED, that certified copies of this resolution be sent to Seneca, Yates, and Ontario Counties, and to the Workforce Investment Board.

Mr. Chatfield moved the adoption of the resolution. Seconded by Mrs. Pagano. Upon roll call, adopted.

**OTHER BUSINESS**

Mrs. Pagano moved, seconded by Mr. Verkey that two (2) resolutions be allowed on the floor under Other Business. Upon roll call, all Supervisors voted aye. Motion Carried.

**RESOLUTION NO. 587-19: AUTHORIZATION TO ACCEPT DRY CLEANING QUOTE FOR THE WAYNE COUNTY SHERIFF'S OFFICE AND WAYNE COUNTY 911**

Mr. Verkey presented the following:

WHEREAS, Wayne County is contractually obligated to provide dry cleaning services for the Sheriff's Office and 911 staff; and

WHEREAS, the Purchasing Clerk solicited quotes for dry cleaning services from six area companies; and

WHEREAS, quotes were received by the deadline from Clyde Laundry, Tenax Town Cleaners and Drop & Go; and

WHEREAS, Tenax Town Cleaners submitted the lowest prices as shown below:

Bidder	Tenax Town Cleaners			Clyde Laundry		
333 S. Main St. Canandaigua, NY 14424	41 Sodus St. Clyde, NY 14433					
%Increase 2 <sup>nd</sup> yr. 3 <sup>rd</sup> yr.	%Increase 2 <sup>nd</sup> yr. 3 <sup>rd</sup> yr.					
Long Sleeve Uniform Shirts	\$2.45	3%	0	\$3.48	4%	4%
Short Sleeve Uniform Shirts	\$2.45	3%	0	\$3.48	4%	4%
Uniform Pants	\$3.25	3%	0	\$4.59	3%	3%
Uniform Softshell Jacket	\$4.65	3%	0	\$15.47	3%	3%
Uniform Winter Jacket	\$5.90	3%	0	\$17.98	3%	3%
Uniform Class A Dress Blouse Jacket	\$4.25	3%	0	\$7.71	3%	3%

WHEREAS, Drop & Go did not submit pricing using the format provided and they included pricing for additional items that were not requested; therefore, exact comparisons were not able to be made, which is why they are not listed above; now, therefore, be it

RESOLVED, that the quote submitted by Tenax Town Cleaners is hereby accepted; and be it further

RESOLVED, that the Chairman of the Wayne County Board of Supervisors is hereby authorized and directed to execute a contract on behalf of the County of Wayne, subject to the County Attorney's approval as to form and content, with Tenax Town Cleaners, for one year commencing upon the execution of the contract; and be it further

RESOLVED, that there will be an option to renew the contract for two (2) additional one (1) year periods at the discretion of the County.

Mr. Chatfield moved the adoption of the resolution. Seconded by Mr. Verno. Upon roll call, adopted.

**RESOLUTION NO. 588-19: REVISION NO. 1 OF THE 2020 WAYNE COUNTY TENTATIVE BUDGET**

Mrs. Pagano presented the following:

WHEREAS, the 2020 Wayne County Tentative Budget was filed with the Clerk of the Board on November 15, 2019 and accepted by the Wayne County Board of Supervisors on November 19, 2019; and

WHEREAS, the Fiscal Assistant, Deputy Budget Director has recommended changes to the 2020 Tentative Budget to revise the budget, back to recognizing the inter-department chargebacks as revenues instead of appropriation reductions; and

WHEREAS, the Wayne County Board of Supervisors is desirous in amending said 2020 Wayne County Tentative Budget prior to its adoption as the 2020 Wayne County Budget; now, therefore, be it

RESOLVED, that the Wayne County Board of Supervisors does hereby amend the 2020 Wayne County Tentative Budget as follows:

**A1615 – Buildings & Grounds**

(Revenues)

\$1,358,636 to 41275 Building & Grounds Fees  
 \$492,313 to 41276 Utility Charges  
 \$171,800 to 41278 Material Charges

(Appropriations)

\$1,358,636 to 54438 Maintenance/Repairs  
 \$492,313 to 54200 Utilities  
 \$171,800 to 54394 Bldg Maint - Work Orders

**A1680 – Information Technology**

(Revenues)

\$1,556,200 to 41270 Information Technology Fees

(Appropriations)

\$1,556,200 to 54414 Information Technology

Mr. Miller moved the adoption of the resolution. Seconded by Mr. Deming. Upon roll call, adopted.

**EXECUTIVE SESSION**

Mr. Verkey moved, seconded by Mr. Chatfield, that the Board to into Executive Session to discuss proposed litigation at 10:46 a.m. Motion carried.

**REGULAR SESSION**

Mr. Chatfield moved, seconded by Mrs. Jacobs that the board resume regular session at 10:57 a.m.

Prior to adjournment, Mrs. Pagano, Finance Committee Chairperson, wanted to take this opportunity to thank Rick House, Ken Blake and all Wayne County Departments for their hard work and dedication on the great job through the 2020 Wayne County Budget process.

**ADJOURNMENT:**

Chairman LeRoy announced that Board will adjourn to the Special Board meeting scheduled for this **Friday, November 22, 2019 at 9:00 a.m.** to discuss a presentation of a possible resolution regarding the REDI Initiative and what it will mean for Wayne County.

The next scheduled Board Meeting is **Tuesday, December 3, 2019 at 7:00 p.m.** for the purpose of holding a Public Hearing for the 2020 Tentative Wayne County Budget.

Mr. Verkey moved, seconded by Mrs. Crane, that the board adjourn at 11:00 a.m. Carried.

Sandra J. Sloane, Clerk, Wayne County Board of Supervisors  
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